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(R-93-594)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NAVY BROADWAY COMPLEX, CERTIFYING THAT THE CITY COUNCIL HAS REVIEWED AND CONSIDERED INFORMATION CONTAINED IN SAID FINAL ENVIRONMENTAL IMPACT REPORT AND IN THE FINAL MEIR FOR THE CENTRE CITY REDEVELOPMENT PROJECT, MAKING CERTAIN FINDINGS REGARDING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED REDEVELOPMENT OF THE NAVY BROADWAY COMPLEX, ADOPTING A REPORTING AND MONITORING PROGRAM, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS.

WHEREAS, the United States of America owns approximately 16 acres of waterfront land in the downtown area of the City of San Diego which is known as the Broadway Complex of the Department of the Nary, San Diego, California (the "Navy Broadway Complex"); and

WHEREAS, pursuant to Section 2732 of the National Defense Authorization Act for Fiscal Year 1987, P.L. 99-661, Congress has authorized the Navy to enter into a long-term lease with a developer pertaining to the real property located within the Navy Broadway Complex, provided that any real property leased shall be developed in accordance with detailed plans and terms of development which have been duly formulated by the Navy and the San Diego Community through the San Diego Association of Governments' Broadway Complex Coordinating Group; and

WHEREAS, this City Council proposes to approve an Agreement between The City of San Diego and the United States of America Adopting a Development Plan and Urban Design Guidelines for the Redevelopment of the Navy Broadway Complex (the "Development Agreement") providing for the coordination by the Navy and the City in implementing the redevelopment of the Navy Broadway Complex; and

WHEREAS, the Navy was designated as the lead agency to prepare an Environmental Impact Statement ("Final EIS") to assess the environmental impacts which may result from the redevelopment of the Navy Broadway Complex pursuant to the National Environmental Policy Act of 1969 ("NEPA") and federal guidelines and regulations adopted pursuant thereto; and

WHEREAS, the City Council was designated as the lead agency to prepare an Environmental Impact Report ("Final EIR") to assess the environmental impacts which may result from the redevelopment of the Navy Broadway Complex pursuant to the California Environmental Quality Act of 1970 ("CEQA"), as amended, and state and local guidelines and regulations adopted pursuant thereto; and

WHEREAS, as permitted by CEQA, the Final EIR was prepared and reviewed in coordination with and incorporating the Final EIS (so that all references herein are also references to the Final EIS), and is comprised of the following documents:

<u>Draft Environmental Impact Statement for the Navy Broadway Complex Project</u>. Department of the Navy. April 1990.

Draft Environmental Impact Report for the Navy Broadway Complex Project. City of San Diego. April 1990.

Final Environmental Statement for the Navy Broadway Complex Project. Department of the Navy, October 1990.

Final Environmental Impact Report for the Navy Broadway Complex Project. City of San Diego. October 1980: and

WHEREAS, the Navy and the City prepared and circulated a Draft EIS and EIR for review, comment and consultation with citizens, professional disciplines and public agencies pursuant to applicable law; and

whereas, duly noticed public hearings were held by the Navy and the City with respect to the Draft EIS and EIR, at which all interested persons and organizations were given an opportunity to be heard; and

WHEREAS, the Final EIS and EIR relating to the proposed redevelopment of the Navy Broadway Complex, and responding to the concerns raised during the review period and at the public hearings, has been prepared pursuant to NEPA and CEQA and the quidelines and regulations; and

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") has previously prepared, and the Agency (Resolution No. 201) and the City Council (Resolution No. R-280915) have certified the Final Master Environmental Impact Report for the Centre City Redevelopment Project ("Final MEIR"); and

WHIREAS, the redevelopment of the Navy Broadway Complex as provided for in the proposed Development Agreement is a redevelopment implementation activity whose environmental impacts are assessed in the Final MEIR; and

WHEREAS, the City Council in connection with its consideration of the approval of the proposed Development Agreement for the Navy Broadway Complex, has reviewed and

considered the information contained in the Final EIR (including the Final EIS) and in the Final MEIR; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

- 1. That the City Council hereby certifies that the Final EIR for the Navy Broadway Complex has been prepared and completed in compliance with CEQA and state and local guidelines and regulations adopted pursuant thereto.
- 2. That the City Council hereby further certifies that the information contained in the Final EIR (including the Final EIS), and in the Final MEIR, has been reviewed and considered by the members of the Council.
 - 3. That the City Council hereby finds and determines that:
 - a. The redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, will not result in significant environmental effects in certain respects identified in the Final EIR, as described in Section I of Attachment A (attached hereto and incorporated herein by this reference).
 - b. Changes or alterations have been required in, or incorporated into, the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, which avoid or substantially lessen certain significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, identified in the Final EIR, as described in Section II of Attachment A.

- c. Changes or alterations which avoid or substantially lessen certain significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, identified in the Final EIR, are within the responsibility and jurisdiction of another public agency and not the City Council, and such changes have been adopted by such other agency, or can and should be adopted by such other agency, as described in Section III of Attachment A.
- d. With respect to significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agraement, which cannot be avoided or substantially lessened, specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR, as described in Section IV of Attachment A.
- e. The significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, which cannot be avoided or substantially lessened are acceptable due to overriding concerns, as described in Section V of Attachment A.
- 4. The City Council hereby further finds and determines that, for the reasons described in Sections \overline{L} , \overline{L} , and \overline{L} of Attachment A:
 - a. No substantial changes are proposed in the Centre City Redevelopment Project, or with respect to the circumstances under which the Project is to be undertaken,

as a result of the redevelopment of the Navy Broadway
Complex, as provided for in the proposed Development
Agreement, which will require important revisions in the
Final MEIR for the Project, due to the involvement of new
significant environmental impacts not covered in the Final
MEIR; and

- b. No new information of substantial importance to the Project has become available which was not known or could not have been known at the time the Final MEIR for the Project was certified as complete, and which shows that the Project will have any significant effects not discussed previously in the Final MEIR, or that any significant effects previously examined will be substantially more severe than shown in the Final MEIR, or that any mitigation measures or alternatives previously found not to be feasible or not previously considered would substantially reduce or lessen any significant effects of the Project on the environment; and
- c. No negative declaration, or subsequent environmental impact report, or supplement or addendum to the Final MEIR is necessary or required; and
- d. The redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, will have no significant effect on the environment, except as identified and considered in the Final MEIR for the Project.
- 5. That the Mitigation Monitoring Program for the Navy Broadway Complex, in the form on file in the office of the City Clerk as Document No. RR280915, is hereby approved and adopted

to monitor and ensure that the mitigation measures identified will be instituted.

6. That the City Clerk (or his designee) is hereby authorized and directed to cause the filing of a Notice of Determination with respect to the Final EIR and Final MEIR, upon approval of the proposed Development Agreement by the City Council.

APPROVED: JOHN W. WITT, City Attorney

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Allisyn L. Thomas Deputy City Attorney

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Attachment A

- The following discussion explains the reasons why, in certain respects, the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, will not result in significant environmental effects.
 - A. With respect to land use:

Redevelopment of the Navy Broadway Complex is compatible with surrounding land uses and provides actual pedestrian uses such as open space area, pedestrian corridors and a waterfront museum. It would substantially improve waterfront access by extending E, F and G streets through the site to the waterfront and providing pedestrian-oriented improvements.

B. With respect to parking:

With implementation of a Travel Demand Management program, sufficient parking would be provided to meet parking demands onsite.

C. With respect to biology:

The project site is fully developed with urban uses and has been for several decades. As such, there are no areas of the site where biological resources are located that are not substantially disturbed.

D. With respect to water:

Water for the project area is supplied by the City of San Diego under the administration of the Water Utilities Department. Since the existing water facilities in the project vicinity are currently operating well within their service capacity, there would be no significant impacts to water service from any of the alternatives considered.

E. With respect to solid waste:

Solid wasta disposal in the project area is provided by the combined services of the City of San Diego and private contractors. The largest increase of solid waste would occur with the Alternative A, the Alternative B, the Alternative D, and Alternative F, from which an anticipated 13,800, 15,600, 19,700, and 13,800 tons, respectively, would be generated per year. Alternative C and Alternative E would result in lesser increase to

solid waste generation (i.e., 9,200 and 7,300 additional tons per year over existing uses, respectively). The West Miramar landfill will provide adequate solid waste disposal through 1995, and the City of San Diego is currently planning to develop new landfills, or expand existing ones, to serve the city's future disposal requirements, so no significant impacts to solid waste disposal are anticipated with implementation of any of the alternatives.

F. With respect to the physical environment:

No known extractable resources are located on or beneath the site. The project site is level, at street grade, and covered with impervious surfaces. Implementation of Alternatives A through F would result in sedimentation during demolition and construction activities as subsurface soils are exposed to runoff. No long-term increase in runoff would occur since the Navy Broadway Complex site is already fully developed.

G. FINAL MEIR

As described in Item I of Attachment A of Agency Resolution No. 2081 and City Council Resolution No. 279875 certifying the Final MEIR and incorporated by reference.

The Final MEIR found that in the areas of biological resources, mineral resources, solid waste collection and hydrology/water quality would not result in significant environmental effects.

With respect to biological resources:

The Centre City Planning Area is located in the heavily urbanized setting of downtown San Diego, which is almost totally lacking in native vegetation and its associated wildlife.

With respect to mineral resources:

The potential for economically viable extraction of mineral resources is limited due to the urbanized nature of the Planning Area. The area has not been designated as having a high potential for mineral resources.

With respect to solid waste collection;

Solid wasta disposal in the Planning Area is provided by the combined services of the City of San Diego and private contractors. New development will be required to contract with licensed private haulers for collection of waste and no significant impacts to solid waste collection services are expected.

4. With respect to hydrology/water quality:

The Planning Area is a highly urbanized area, currently developed with low and high-rise buildings, streets, sidewalks, and parking areas. New development proposed under the Centre City Community Plan is not expected to increase the volume of stormwater runoff in the Planning Area.

No significant impacts were identified in relation to erosion, however the implementation of standard erosion control procedures will be required in accordance with existing City of San Diego regulations.

All development activities shall be conducted in compliance with regulatory requirements pertaining to dewatering. Therefore, no significant impacts will occur.

II. The following discussion explains the reasons why certain changes or alterations which have been required in, or incorporated into, the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, will avoid or substantially lessen certain significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement.

A. TRAFFIC

Long-Term Intersection Impacts

Redevelopment of the Navy Broadway Complex would result in long-term intersection traffic impacts. The operation of several intersections in the vicinity of the project site would be substantially affected. The intersections are Grape/Pacific, Broadway/Pacific, and Broadway/Front. Traffic from the project will reduce the level of service (LOS) from C to E at Grape/Pacific, from LOS E to F at Broadway/Pacific, and from LOS D to E at Broadway/Front.

The significant effects related to long-term intersection impacts have been eliminated or substantially lessened to a level less than significantly by virtue of project design considerations and the mitigation measures identified in the Final EIR and incorporated into the project. The following improvements that are planned either by the Centre City Transportation Action Plan (CCTAP) or Centre City Development

Corporation (CCDC) will reduce the project's contribution to intersection impacts:

- Pacific/Grape: Pacific Highway currently provides three through lanes in each direction and a southbound left-turn pocket. Grape Street has three eastbound lanes and an eastbound right-turn pocket and will be restriped and reconfigured to provide for a 4-land section. This improvement will result in service level D conditions under the long-term scenario and will be installed by the City of San Diego when the service levels at this intersection exceed acceptable levels based on current traffic counts.
- Broadway/Front: Broadway provides two through lanes in each direction and a westbound left-turn lane. Front Street has three through lanes in the southbound direction and will be restriped and reconfigures to provide for a 4-lane section. This improvement will result in service level D conditions under the long-term scenario and will be installed by the City of San Diego when the service levels at this intersection exceed acceptable lavels based on current traffic counts.
- Broadway/Pacific: Pacific Highway currently provides three through lanes in each direction and a southbound laft-turn lane. Broadway has two through lanes in each direction and a westbound left-turn lane. The improvements include the provision of additional turn lanes in northbound, eastbound, and westbound directions and will result in level of service D conditions under the long-term scenario. They will be installed by City of San Diago upon initiation ೦೭ development of any block on the Navy Broadway The improvements are summarized as Complex. follows:
 - Exclusive northbound left-turn lane
 - Exclusive northbound right-turn lane
 - Exclusive eastbound right-turn lane
 - Second westbound left-turn lane
- A traffic signal at the intersection of Harbor Drive and the new connection to Harbor Drive north of Broadway will alleviate traffic impacts that result from the redirection of traffic around Broadway and the proposed open space area. Improvements to this intersection will be installed by the City of San Diego upon completion of the

open space area at the foot of Broadway.

Implementation of the last two mitigation measures shown above will be governed by a phasing plan. The phasing plan for each stage of development is included in the EIR, and requires that associated mitigation measures be implemented in conjunction with the development of any individual block on the project site. The phasing plan will include the installation of access-related improvements to Pacific Highway as well as the extension of E Street, F Street, or G Street from Harbor Drive to Pacific Highway.

- Long-Term Travel Demand Management (TDM) Program:
 A TDM program will be designed to reduce the number of vehicular trips, thereby reducing associated traffic impacts and parking needs. The TDM program will be put in place prior to the occupancy of any new structures and will be incorporated into all commercial leases. This program will incorporate a variety of measures which may include some or all of the following:
 - Onsite transit amenities
 - Transit pass sale and information area
 - Coordination of a rideshare matching system
 - Preferential carpool and/or vanpool parking
 - Onsita bika lockers
 - Development of pedestrian corridors to transit stops/stations
 - Shared parking arrangement through mix of land uses

Long-Term Roadway Segment Impacts

Fourteen roadway segments in the vicinity of the project will operate above their capacity as a result of area wide development. Traffic from the proposed project will contribute substantially and significantly to overcapacity conditions along segments of Pacific Highway (south of Broadway) and First Avenue (south of Ash).

The significant effects to road segments related to additional project traffic generation have been eliminated or substantially reduced to a level lass than significant by virtue of project design considerations and the mitigation measures identified in the Final EIR and incorporated into the project. CCTAP and CCDC have programmed improvements for both of the segments for which the project would contribute to significant increases in traffic levels. The following planned improvements along Pacific Highway and First Avenue would reduce expected impacts along these two road segments to a less than significant level:

- First Avenue: First Avenue will be restriped and reconfigured to provide for a 4-lane section. This improvement, to be installed by the City of San Diego, will be implemented when roadway volumes on this segment exceed acceptable levels based on current traffic counts.
- Pacific Highway: Pacific Highway will be widened to add new travel and turn lanes adjacent to the site. Traffic signals will be added at the intersections of G Street/Pacific, F Street/Pacific, and E Street/Pacific. The improvements will be installed by the City of San Diago in a phased manner upon development of individual blocks in the Navy Broadway Complex.

B. PUBLIC SERVICES

Impact on Schools

The project area is within the boundaries of the San Diego Unified School District (SDUSD). The SDUSD provides public school facilities for grades K through 12. A majority of SDUSD's schools are currently operating near or over their capacity. The number of Navy personnel in the region would remain unchanged, but potential immigration of families associated with onsite private development will increase the number of school age children. Secondary schools in the area are generally operating below their capacity, while elementary schools are generally operating over their capacity. The combined capacity of these schools (i.e., 63,990) has already been exceeded by over 2,300 students. Implementation of the private uses on the Navy Broadway Complex Project could result in indirect adverse impacts to elementary schools.

To alleviate the current overcrowding of schools in the area, the SDUSD is levying school impact fees as authorized by California Government Code Section 53080 for the long-range planning and construction of new facilities. Section 53080.1 allows for an appeal of the imposition of the fee to challenge the applicability of student-generation factors associated with the project.

The project would not directly contribute students to the elementary and secondary schools within the San Disgo Unified School District since residential uses are not being proposed. An influx of new non-military personnel associated with onsite private development could cause secondary impacts to schools in the San Diago area that are near or over capacity. The Navy office component of any of the alternatives would not result in increased Navy personnel in the region, so no nitigation measures for Navy offices are necessary. The

significant effects to schools in the San Diego area related to the influx of families associated with private development have been eliminated or substantially lessened to a level less than significant by virtue of the following mitigation measure:

 A school facilities fee shall be paid in an amount established in accordance with California Government Code Sections 53080, 53080.1, and 65995.

Wastewater Impacts

The project would generate 250,495 gallons of wastewater per day. The additional wastewater generated by this project would significantly increase the amount of wastewater conveyed through existing sewer facilities and could cause the conveyance facilities to operate above their capacity.

The significant effects related to additional wastewater generation have been eliminated or substantially reduced to a level lass than significant by virtue of project design considerations and a mitigation measure identified in the Final EIR and incorporated into the project. This measure is as follows:

The existing 15-inch diameter mains located in Pacific Highway and in Market Street will upgraded by the project developer, in coordination with the City of San Diago, to a capacity sufficient to serve future onsite development, as well as future upstream and tributary developments that would be linked to them. As recommended in a sewer pipeline capacity analysis, 1,800 linear feet sewer line will be replaced from the intersection of Pacific Highway and E Street to the intersection ΟĪ Market Street and Kettner Boulevard. The sawer line will be constructed upon demand for a new line created by the project.

C. PHYSICAL ENVIRONMENT

Effects from Soils and Erosion

During construction ensite soils will be exposed to rain and other hydraulic forces that could eventually convey sediments to the ocean, potentially affecting marine life.

The significant effects due to erosion and exposure to hydraulic forces have been eliminated or substantially reduced to a level less than significant by virtue of project design considerations and the mitigation measure identified in the Final EIR, incorporated into the project. The following

measure would mitigate any impacts from soil erosion during construction:

- An arosion control plan will be implemented during construction of new structures at the Navy Broadway Complex site. The plan will be prepared by the project developer and submitted to the City for approval prior to the initiation of construction. Major components of the plan will include (but not be limited to) the following:
 - Regular watering of exposed soil.
 - Hydroseeding of large (1-acre-plus) areas of exposed surface soils that will remain exposed and undisturbed by construction for 3 or more months at a time.
 - Draining any areas where ponding occurs.
 - Placing sandbags in gutters and near storm drains wherever construction activities occur.

Effects from Geologic Hazards (Faulting and Seismicity)

The site lies generally within the Rose Canyon fault zone. The possibility of a fault bisecting the site and strong groundshaking will have to be considered in the design and placement of structures. Design will also have to consider the potential for liquefaction.

The significant effects related to geologic hazards have been eliminated or substantially reduced to a less than significant level by virtue of upgrading the design criteria above that required by the City of San Diego to UBC Seismic Zone 4, and by considering the remedial measures for fault surface rupture, seismic groundshaking, and liquefaction outlined in "Additional Geologic, Seismic, and Geotechnical Studies, Navy Broadway Complex, San Diego, California," prepared by Woodward-Clyde Consultants (dated September 5, 1990) in the design and construction of all new buildings.

D. AIR QUALITY

Effects of Construction Dust Generation

Construction activities are a source of fugitive dust emissions that may have a substantial temporary impact on local air quality. Emissions are associated with demolition, ground excavation and site preparation. Dust emissions vary substantially from day to day, depending on the level of activity, the specific operations, and the prevailing weather.

Fugitive dust created during construction could result in short-term nuisance impacts.

significant effects related to construction generation have been eliminated or substantially reduced to a level less than significant by virtue of project design considerations and the mitigation measures identified in the Final EIR and incorporated into the project. The factor used in the EIR to determine dust generation does not take into account the relatively high water table at the Navy Broadway which results in moister soil and less dust Complex. generation. Dust control through regular watering and other fugitive dust abatement measures required by the San Diego Air Pollution Control District (APCD) can reduce dust levels by 50 to 75 percent. Dust emission rates, therefore, depend on the length of the construction activities and the care with which dust abatement procedures are implemented. The maximum dust generation (not considering the higher moisture content of onsite soils) would be approximately 4.7 tones per month. With dust control measures, the total is reduced to about 2 tons per month of construction activity.

While the overall dust generation is substantial, the daily rate of fugitive dust generation is well within the dispersive capacity of the air basin without any adverse air quality impacts. It should also be noted that much of this dust is comprised of large particles that are easily filtered by human breathing passages and settle out rapidly on nearby foliage and horizontal surfaces. The dust thus comprises more of a nuisance rather than any potentially unhealthful air quality impact. With implementation of the following measures and other dust abatement procedures, even the short-term impact is lessened to an insignificant level.

• Fugitive dust will be controlled by regular watering as required by the San Diego Air Pollution Control District and through erosion control and street washing to reduce dirt spillage onto traveled roadways near the construction site. This measure will be implemented by the project developer and will be required to be included in construction documents.

Long-Term Vehicular Emission Impacts

The proposed project will generate 23,000 total vehicle trips per day. These vehicle trips will generate 270 pounds per day of total organic gases, 2,406 pound per day of carbon monoxide and 445 pounds per day of nitrogen oxides. The project will contribute to an already existing violation of the ozone standard and intensify the current air quality problem in the San Diego Air Basin.

The project would generate, without mitigation, approximately 38,000 trips. Up to 40 percent of these trips (16,000) are associated with Navy personnel relocated to the site. These personnel are already located in the San Diego Air Basin, and would simply be relocated to the Navy Broadway Complex. This consolidation provides substantial opportunities to reduce regional emission loads associated with commute trips by these personnel, as discussed below.

A Travel Demand Management (TDM) plan will be implemented as part of the project to substantially reduce single-occupancy vehicle usage at the site. In addition, the site is located within walking distance of a commuter rail, an AMTRAK rail station, 10 bus lines, and two light-rail transit lines (one under development). This provides a substantial opportunity for utilizing mass transit and reducing singleoccupancy vehicle use. By consolidating Navy personnel from a number of smaller, dispersed facilities to a single facility proximate to these transit opportunities, single-occupancy vehicle usage by Navy personnel can be substantially reduced in the air basin, with estimated reductions of 40 percent. Vehicle trips that are new to the San Diego Air Basin would constitute the remaining approximately 60 percent of the project's trip generation. TDM will also help alleviate impacts from vehicle trips that are new to the San Diego region. Based on City of San Diego estimates of TDM effectiveness, the TDM measures proposed for this project and the project's proximity to mass transit are estimated to reduce daily vahicle trips from each of the proposed land uses by the following amount:

Land Use	Estimated Trip Reduction by TDM
Office	60 percent
Hotel	25 percent
Retail	15 percent

Implementation of the TDM plan will reduce the total number of project trips by approximately 40 percent, which will substantially reduce potential vehicular emissions. After application of the TDM plan, trips associated with the mixeduse development would be approximately 23,000. If the existing 16,000 vehicles that are associated with Navy personnel located throughout the air basin are discounted, the net increase in daily vehicle trips would be reduced to 7,000. These net trip levels assume that all of the remaining vehicles are new to the air basin, a premise which probably overstates the new vehicle travel.

The California Air Resources Board indicates that measures to substantially reduce the number of single-occupancy vehicles

would be the primary determinant of consistency with the current (1982) and proposed State Implementation Plan (SIP). Long-term vehicular emissions will be substantially reduced through implementation of an extensive Travel Demand Management Program primarily aimed at reducing the use of single-occupancy vehicles. Therefore, the Navy Broadway Complex Project would be consistent with the current (1982) and proposed SIP. The significant long-term project-specific effects to air quality related to vehicular emission levels have been eliminated or substantially lessened to a level less than significant by virtue of the nature of the project and the mitigation measures identified in the Final EIR (see Traffic discussion in these findings, page 4) and incorporated into the project.

E. NOISE

Temporary Construction Noise Impacts

Noise generated by construction equipment, including earth movers, material handlers, and portable generators can reach high levels. Implementation of the project would cause a short-term annoyance to noise-sensitive land uses in the surrounding area due to construction activities. The area is frequented by visitors, especially on weekends. This impact may be considered a significant nuisance impact to users of the nearby waterfront during the construction period.

The significant effects related to short-term noise generation have been eliminated or substantially lessened to a level less than significant by virtue of project design considerations and the mitigation measures identified in the Final EIR and incorporated into the project. These measures are as follows:

- A looped 12kV system will be constructed by the project developer in phases to provide adequate electricity to the various individual structures within the Navy Broadway Complex as they are developed.
- Coordination by project developers will occur with SDG&E regarding recommendations on energy conservation measures. All private development will be constructed in accordance with Title 24 of the California Administrative Code, which provides energy conservation measures.

F. CULTURAL RESOURCES

Impacts on Historic Structures

The project will have a significant impact on cultural

resources. Based on Criterion C of 36 CFR 60.4, Buildings 1, 11, and 12 appear to meet National Register Criteria as a single architectural and historical group. They represent the antire development history of the Navy Broadway Complex and are primary contributing features to the overall character of this area of the San Diego waterfront. These buildings form an architectural unit, and are tied together both in terms of general form (design) and function. They are all designed in compatible utilitarian/industrial styles, and retain a high degree of integrity. Impacts would result from the removal or substantial renovation (modification of the exterior and interior components) of portions of Buildings No. 1 and No. 12. Building 11 is beyond the project limits and would not be affected by the proposed project.

In order to determine appropriate steps to mitigate the impacts o these cultural resources, the Navy has consulted with the California State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation. The significant effects related to removal or substantial alterations of these buildings have been eliminated or substantially lessened to a level less than significant by virtue of project design considerations and the mitigation measure identified in the Final EIR and incorporated into the project.

The Navy will record Buildings 1 and 12 pursuant to Section 110(b) of the National Historic Preservation Act and will monitor excavations to ensure that no significant archaeology is inadvertently lost.

G. PUBLIC HEALTH AND SAFETY

Impacts from Soil Contamination

Several areas of contamination or potential contamination were identified on the site that could adversely affect the health of personnel on the site, especially during construction activities that uncover soils. Minor hazardous waste spills were located or may be located on the site. In addition, transformers that contain PCB's are located on the site, although none are known to be leaking. There are no known major hazardous waste spills or leaking underground storage tanks on the site. Because the presence of hazardous waste can affect public health, this represents a significant impact.

The significant effects related soil contamination have been eliminated or substantially lessened to a level less than significant by virtue of project design considerations and the mitigation measures identified in the Final EIR and

incorporated into the project. These measures are as follows:

- If any underground storage tanks on the site are found to be leaking, such leaks will be cleaned up in accordance with the Resource Conversation and Recovery Act (RCRA) and any other applicable state or City of San Diego regulations, with clean up being initiated upon discovery of any leaks.
- If evidence of hazardous materials contamination is discovered, the EPA will be promptly notified and all applicable requirements of the Comprehensive Emergency Response Compensation and Liability Act and the Superfund Amendment and Reauthorization Act (CERCLA/SARA) and the National Contingency Plan (NCP) will be complied with.
- If CERCLA hazardous substances are discovered, no construction will occur until the requirements of CERCLA/SARA and the NCP have been fully satisfied. CERCLA/SARA/NCP activities would take priority over new construction until CERCLA/SARA compliance has been achieved.
- Prior to construction, the area beneath existing Building & will be further investigated for the presence of hazardous materials in the soils. If any contaminated soils are found, they will be cleaned up in accordance with EPA regulations.
- The fluid in transformers and other electrical units will be tested prior to onsite construction to determine the presence of PCBs. If PCBs are found, the fluid and the units will be disposed of at an approved waste disposal facility in accordance with the Toxic Substance Control Act (TSCA).
- The soil in the vicinity of the forklift maintenance area at existing Building 106 will be tested for acidity prior to development in this area. If the pH of the soil is less than 5, the pH will be adjusted so that it is greater than 5.
- The oily residue-stained soil and paving materials in the vicinities of existing Buildings 7 and 105 will be removed to the satisfaction of the EPA prior to development in this area and disposed of in an approved disposal facility.

Effects Related to Asbestos

Development of the project would pose significant health exposure risks associated with demolition of buildings that contain asbestos. During demolition, asbestos fibers could become airborne, thereby providing a pathway to enter the human system. Asbestos exposure is considered a human health risk, and building demolition required by the project would be considered a significant health impact.

H. FINAL MEIR

As described in Item II of Attachment A of Agency Resolution No. 2081 and City Council Resolution No. 279875 certifying the final MEIR and incorporated by reference.

It was found the potential land use incompatibilities, transportation and circulation impacts, air quality impacts, noise impacts, cultural resources, demolition of potential impacts to police, fire protection services, libraries, potable water distribution, stormwater collection and solid waste collection, groundwater impacts, geological hazards, hazardous materials contamination and potential loss of paleontological resources, impacts will be mitigated to below a level of significance.

The Navy Broadway Complex Final EIR found project-specific impacts (as described above in Sections A-H) which may be possible regarding traffic, public services, physical environment, air, noise, cultural resources, public health and safety. Several of the potential impacts are related to the fact that now there is a specific development proposal which may not match the general assumptions addressed in the Final MEIR. It is anticipated that many, if not all potentially significant impacts associated with the Navy Broadway Complex will be mitigated.

- III. The following discussion explains the reasons why changes or alterations which avoid or substantially lessen certain significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, are within the responsibility and jurisdiction of another public agency and not the City Council, and how such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - A. PUBLIC HEALTH AND SAFETY

Impacts Associated with Contamination of Groundwater

The project includes subsurface parking and would likely include subsurface foundation components. Groundwater is

located at approximately 7 to 11 feet below the ground surface of the sita. Subsurface construction would encounter substantial quantities of groundwater, and a temporary groundwater dewatering program would be required during construction. Although it is unlikely that any contaminated groundwater would be encountered during temporary dewatering activities, it was found that the dewatering program associated with the nearby Convention Center may have promoted migration of the contaminated plume in the direction of that project. It is conceivable that temporary groundwater dewatering associated with project development could cause migration of the plume, or of a currently unknown source of contaminated groundwater, towards the Navy Broadway Complex.

The significant effects related to contaminated groundwater have been eliminated or substantially reduced to a level less than significant by virtue of project design considerations and the mitigation measure identified in the Final EIR and incorporated into the project. The measure is as follows:

 Authorization to temporarily discharge dewatering waste during project construction will be obtained from the executive officer of the Regional Water Quality Control Board (RWQCB) under NPDES CA 0108707.

B. FINAL MEIR

As described in Item III of Attachment A of Agency Resolution No. 2081 and City Council Resolution 279875 certifying the Final MEIR and incorporated by reference.

1. With respect to project-specific mitigation for projects within the planning jurisdiction of government agencies other than the City of San Diego:

Project-specific mitigation would be required for a number of potential impacts including potentially significant land use incompatibilities, air quality impacts during construction, CO hotspots, noise impacts, demolition of historically significant buildings, potential loss of subsurface cultural resources, wind acceleration, impacts to public facilities and services, geological hazards, ground-water impacts, hazardous materials contamination and potential loss of paleontological resources.

Other government agencies with planning jurisdiction in the Planning Area include the San Diego Unified Port District (Port District), the County of San Diego, the U. S. Navy, the

San Diego Association of Governments (SANDAG) and the California Coastal Commission. The County of San Diego has planning jurisdiction over County-owned property in Centre City used for a County purpose; the U. S. Navy controls a large developed parcel adjacent to the waterfront (the Broadway Complex) and an adjacent pier; and SANDAG is the designated Airport Land Use Commission for Lindbergh Field. Lindbergh Field's Airport Influence Area extends across a portion of the Planning Area. The Centre City waterfront is under the jurisdiction of the San Diego Unified Port District and the California Coastal Commission. However, the Coastal Commission has delegated its coastal zone authority to the City of San Diego and the Port District as a result of their certification of the Local Coastal Program and Port Master Plan.

The U. S. Navy has entered into a memorandum of understanding (MOU) with the City of San Diego providing for cooperation in the future development of the Navy Broadway Complex. The MOU specifies that the Navy, in consultation with the City of San Diego, will prepare a development plan and urban design guidelines that will define the nature of development that will occur on the Navy Broadway Complex.

2. With respect to transit ridership:

Traffic related impacts would be mitigated primarily by increasing the percent of transit ridership to 60 percent by the year 2025. It is estimated that an additional 440 buses, 305 trolley cars and 55 commuter rail cars would be required for the routes serving the Planning Area during the AM peak hour. This mitigation measure would be the responsibility of the Metropolitan Transit Development Board (MTDB).

3, With respect to freeways:

Impacts to key freeway segments and ramps will need to be mitigated through measures such as ramp metering, ramp widening and providing additional lanes for both freeways and ramps. These measures would be the responsibility and jurisdiction of the California Department of Transportation (Caltrans). The Redevelopment Plan provides Agency participation with Caltrans to widen various freeway ramps in the Planning Area and these mitigation measures can and should be adopted by Caltrans.

4. With respect to air quality:

Similar to traffic impacts, the mitigation of CO hotspots is dependent in part on the implementation of a 60 percent transit mode split by the year 2025. Provision of the needed additional buses, trolley cars and commuter rail cars is not

within the jurisdiction of the City or Agency, but rather the Metropolitan Transit Development Board.

- IV. The following discussion explains the reasons why specific economic, social or other considerations make infeasible the mitigation measures or project alternatives with respect to each significant environmental effect of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, which cannot be avoided or substantially lessened.
 - A. LONG-TERM VEHICULAR EMISSIONS--CUMULATIVE IMPACT ON AIR QUALITY

The Regional Air Quality Strategy establishes a goal of maintaining a Level of Service (LOS) C or better at intersections to reduce idling times and vehicular emissions. Cumulative development in the project vicinity would create congestion (LOS D or below) at six intersections. The proposed project would contribute a substantial increment to this congestion at one or two of these intersections. City of San Diego standards provide that this incremental contribution to the region's non-attainment of ozone and carbon monoxide standards is a cumulatively significant unmitigated impact.

The significant effect has been substantially reduced to extend feasible by virtue of the considerations and the mitigation measures identified in the Final EIS and incorporated into the project. The San Diago Basin is a non-attainment area for ozone, nitrogen dioxide, and carbon monoxide. The project would include transportation demand management measures (TDM) that would substantially reduce the potential air quality impacts of the project. Incorporation of the TDM would, according to the California Air Resources Board, demonstrate consistency with the State Implementation Plan. Nevertheless, after implementation of all feasible mitigation measures, the project would continue to substantial contribute traffic to congested intersection and would therefore contribute significantly to an unmitigated impact.

The chief goal of CEQA is mitigation or avoidance of environmental harm. Alternatives and mitigation measures fulfill the same function of diminishing or avoiding adverse environmental effects. When a significant environmental impact remains after implementation of mitigation measures, a reasonable range of alternatives need to be evaluated and either adopted or shown to be ineffective or infeasible as a means to reduce or prevent detrimental effects to the environment. The final EIR

evaluated six alternatives in addition to the proposed project. Only the No-Action Alternative would reduce or avoid the cumulative impact on air quality.

A summary of each alternative addressed in the Final EIR is provided below. The purpose of this summary is to illustrate how each alternative differs from the project, whether or not each alternative can avoid or lessen the unmitigated impact, and if so, what "specific, economic, social, or other considerations" make the alternative With the exception of the No-Action infeasible. Alternative, Alternative G, the alternatives would contribute substantial traffic to one or intersections and would therefore also contribute a significant impact to cumulative air quality impacts. Alternative A is the proposed project.

Alternative B

Alternative B represents an additional 250,000 SF of commercial office and 1.4 acres less open space than the proposed project, totalling 3,500,000 SF of mixed uses (including 300,000 SF of above-grade parking). Alternative B would also result in a significant unmitigated impact on cumulative air quality. Although this alternative meets the basic project objectives, it does not avoid this impact and is not environmentally superior to the proposed project.

Alternative C

Alternative C proposes rehabilitation of existing Navy buildings and additional development totalling 2,470,000 SF of mixed uses (including 225,000 SF of above-grade parking. The open space and museum proposed by the project would not be provided, nor would commercial office be developed. Although Alternative C meets the basic project objectives, it would have several unmitigated impacts related to planning in addition to unmitigated cumulative air quality impacts, so it is anvironmentally inferior to the project.

Alternative D

Alternative D would require private development on the Navy Broadway Complex site to generate sufficient revenue for acquisition and use of a second site. This alternative would be developed with 2,915,000 SF of mixed uses, including approximately 20,000 SF of Navy offices, at the Navy Broadway Complex, and approximately 980,000 SF of Navy offices on a site in the eastern area of downtown San Diego. Proposed uses on the Navy Broadway

complex would be similar to Alternative B in intensity and layout—with 0.5 acre of open space—but additional commercial office and hotal uses would be developed in place of Navy offices to meet project financial objectives. This alternative meets the basic project objectives. However, Alternative D wold also result in a significant unmitigated impact on cumulative air quality and, therefore, is infeasible as a means to avoid this impact. Alternative D is not environmentally superior to the proposed project.

Alternative E

Alternative E would include construction of 1 million SF of Navy offices on the Navy Broadway Complex site and no private development. Construction would be taxpayerfinanced congressionally funded and would primarily involve the rehabilitation of the two largest buildings on the property, and construction of one new building. No open space would be provided. Although this alternative provides one million SF of Navy offices, it is infeasible because it does not meet the basic project objectives of providing the Navy offices at a reduced cost to taxpayers; it relies on direct Federal appropriation of tax dollars to totally finance the project. Although this alternative would have less of an effect on cumulative air quality than the proposed project, the impact would still be significant. Furthermore, Alternative E wold have additional impacts related to planning (similar to Alternative C) and thus would be environmentally inferior to the project.

Alternative F

Alternative F would be similar to the project and would be developed with 3,315,000 SF of mixed uses (including 365,000 SF of above-grade parking), but includes no development on the most northern of the four blocks on the site and 1.4 more acres of open space. Development on the other three blocks of the site would be intensified (compared with the project), and up to 500-foot-tall buildings would be built. Although local government financial assistance would be needed for certain infrastructure improvements, this alternative meets the basic objectives of the project. Alternative F would not avoid unmitigated significant cumulative air quality impacts and would result in unmitigated aesthetics impacts as well, so it is anvironmentally inferior to the proposed project.

Alternative G

Alternative G is the No-Action Alternative. No new development would occur on the Navy Broadway Complex and existing uses would be retained. No unmitigated significant impacts would result. This alternative would avoid a significant cumulative impact on air quality. This alternative is infeasible because it does not meet the objective of accommodating the demand for Navy offices in a central location.

B. FINAL MEIR

As described in Item IV of Attachment A of Agency Resolution Nol 2081 and City Council Resolution 279875 certifying the Final MEIR and incorporated by reference.

1. With respect to significant traffic circulation and traffic-related land use impacts:

Even with implementation of the identified mitigations, the following significant traffic impacts would occur: level of service F on Harbor Drive and Broadway, SR-163 and I-5 and on eight freeway ramps providing access to downtown from SR-163 and I-5. Further mitigation would require a significant reduction in the scale or volume of future development in the Project Area. The Final MEIR assessed the effect of alternatives which would provide for: development of remote parking in the Project Area; implementing reversible lanes on Harbor Driva; decreased intensity of development at the waterfront; a no project alternative; and a reduced density alternative.

The Final MEIR assessed the effect of alternatives which would provide for: development of remote parking in the Project area; implementing reversible lanes on Harbor Drive; decreased intensity of development at the waterfront; no project alternative; and a reduced density alternative.

The scale or volume of the development in the Project Area could be reduced by reducing development at the waterfront and by both the reduced-and no-project alternatives. However, reduction of the intensity at the waterfront is not within the jurisdiction of The City of San Diego. Reduction of intensity through the no project and reduced density alternatives would be economically infeasible.

The analysis contained in the Final METR finds that anticipated Centre City development with no redevelopment plan would result in traffic and related noise increasing, and corresponding air quality decreasing over time, with none of the coordinated planning and mitigation mechanisms available with the use of a community or redevelopment plan. The demand for public facilities and services would continue without the

resources of redevelopment available. Furthermore, the loss of a coordinated plan for redevelopment would result in an underutilization of land within the urban core, thereby encouraging further development pressure in outlying areas, with the attendant potential significant impacts on regional traffic, air quality, energy consumption, public services, loss of open space and potential loss of agricultural land. The no project alternative would not encourage the objectives and goals of the Redevelopment Plan, and other related documents, with respect to elimination of urban blight and incompatible land uses within the urban core. Physical, economic and social conditions would not be improved and could worsen placing a greater drain on city and county resources. The no project alternative would further endanger the City's ability to promote the identified goals.

2. With respect to significant air quality impacts:

Even with implementation of the identified mitigations, significant air quality impacts associated with CO ocurrence on all street segments, ramps, and freeway segments that operate at an LOS of D or below, would occur even after traffic mitigations are implemented. Further mitigation would require a significant reduction in the scale or volume of future development in the Project Area. The MEIR assessed the effect of alternaties which would provide for decreased intensity of development; and the no project alternative. The scale or volume of development in the Project Area could be reduced by both of the alternatives. The social, economic and other considerations which make these alternatives infeasible are the same as those described under paragraph above.

- V. The following discussion explains the benefits of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement which outweigh the significant environmental effects of the redevelopment of the Navy Broadway Complex, as provided for in the proposed Development Agreement, which cannot be avoided or substantially lessened.
 - A. The proposed project would provide a 1.9-acre area for davelopment by the City of San Diego of public open space at the foot of Broadway adjacent to the Waterfront. There is the possibility that this area could be combined with adjacent area under control of the City and the San Diego Unified Port District to create an up to 10-acre waterfront park. An open space area at the foot of Broadway has been long sought by the City, and is represented in a number of planning documents, including the Central Bayfront Design Principles. At least 75 percent of the linear ground level frontage of buildings

fronting the open space will be developed with retail, restaurants, and other public-oriented activities. The open space area could serve as a waterfront gateway to downtown San Diego.

In addition to the 1.9-acre open space at the foot of Broadway, pedestrian facilities and gallarias would add another 3 acres of open space uses to the site. In all, the project will enhance pedestrian access to and use of the waterfront, and will be a substantial community benefit.

- 3. Currently there is no access along E Street, F Street, or the extension of G Street through the Navy Broadway Complex. Pedestrian access to the waterfront from the downtown core and the Marina residential area is thus precluded along these streets. These streets would be opened and improved with wide pedestrian ways to provide enhanced pedestrian access to the waterfront. The extension of G Street will be improved to provide 60 feet of pedestrian access within a 120-foot right-of-way. This will provide substantially improved access between the G Street Mole and the Marina residential area. E and F streets will both be improved with approximately 35 feet of pedestrian access within a 75-foot right-of-way.
- C. The major buildings on the site are industrial in appearance. The site, while well maintained, exhibits minimal architectural variation. The project will have architectural excellence, designed to step down from the downtown core to the waterfront. Towers will be designed to minimize view obstructions from inland areas, and to create a well-composed skyline compatible with existing and planned development. Low-rise elements will be designed to create interest and variety. Street level elements will be designed to provide a pedestrian scale. Fences and buildings that block views to the waterfront along G Street will be removed. High quality streetscaping and landscaping will be established to a comfortable and enhanced pedestrian Enhanced pedestrian walkways will be environment. provided along Pacific highway, Broadway, and Harbor Drive.
- D. Up to 55,000 SF of unfinished space shall be provided for a community-sponsored group to develop a museum, with a likely orientation toward showcasing the maritime heritage of the City and the historic significance of this area of the vaterfront. The museum would be designed to provide principle access to the open space area, to integrate project design elements and further emphasize the pedestrian environment created by the

project.

- The Central Bayfront Design Principles were adopted to Ξ. help guide development among the several jurisdictions and property owners located along the Central Bayfront. The design principles were incorporated into the preliminary Centre City San Diego Community Plan and the Navy Broadway Complex Project. The development agreement between the City and the Navy will provide assurance that redevelopment of this area, over which the City has no authority, will be compatible with other development existing and planned for the area. The Progress Guide and General Plan contains an objective for the central urbanized area of the City of "attracting the most and varied land use intensive including office administrativa, financial, rasidential, entertainment, and strengthening the viability of the central areas through renewal, redevelopment, and new .construction."
- F. The waterfront area in the project vicinity is heavily used by residents, employees, and visitors. The Navy Broadway Complex, in its current configuration, does not enhance the area for waterfront users. The project as proposed will enhance San Diego's waterfront. The open space area at the foot of Broadway will provide the opportunity to create a component of a waterfront gateway to downtown San Diago. Pedestrian access to the waterfront will be substantially increased by the provision of access ways through the site, and by providing pedestrian amenities along the various walkways adjacent to and through the site. The waterfront museum will also provide a substantially beneficial use complimentary to the waterfront.
- G. The project would provide approximately 10,800 permanent job opportunities at project buildout. Nearly 6,700 of these jobs would be with Navy personnel already in the region but more than 4,100 new employment opportunities would be created. This would enhance the economic base of downtown San Diego.
- H. The Navy Broadway Complex does not currently provide tax revenues to the City of San Diego. After redevelopment, the project site would generate property taxes, sales taxes, and transient occupancy taxes to the City of San Diego. It is projected that the project wold return \$258,197,000 net in revenues to the City of San Diego over the next 30 years. The assumptions and methodology used to derive this are described in detail on pages 4-139 through 4-143 of the draft ETS. This is a substantial benefit of the project, and provides revenue

to the City from a site that has not previously produced any public revenues.

I. FINAL MEIR

As described in Item V of Attachment A of Agency Resolution No. 2081 and City Council Resolution No. 279875 certifying the Final MEIR and incorporated by raference.

Significant unavoidable traffic and circulation and traffic-related land use impact is partially offset by the benefits of implementing the Redevelopment Plan which provides a synergistic mix of land uses that will reduce the number and length of regional trips as well as the number of trips made into downtown.

Significant unavoidable air quality impact is partially offset by the implementation of an aggressive transit improvement program serving downtown.

The Community Plan and related documents will allow the use of redevelopment methods to eliminate blight and to encourage development of new buildings and businesses which conform to the land use goals stated in the Centre Community Plan. The Plan will administration of the existing redevelopment projects as facilitate coordinated planning infrastructure improvements between multiple jurisdictions for the benefit of the entire area, including the improvements on and adjacent to property owned by the Unified Port District, the federal government, and the Metropolitan Transit Development Board.

Implementation of the Redevelopment Plan also partially offsets unavoidable traffic and circulation impacts by providing for transit, pedestrian, street freeway ramp and parking improvements that would not otherwise be made due to a lack of public resources and coordination with multiple jurisdictions.

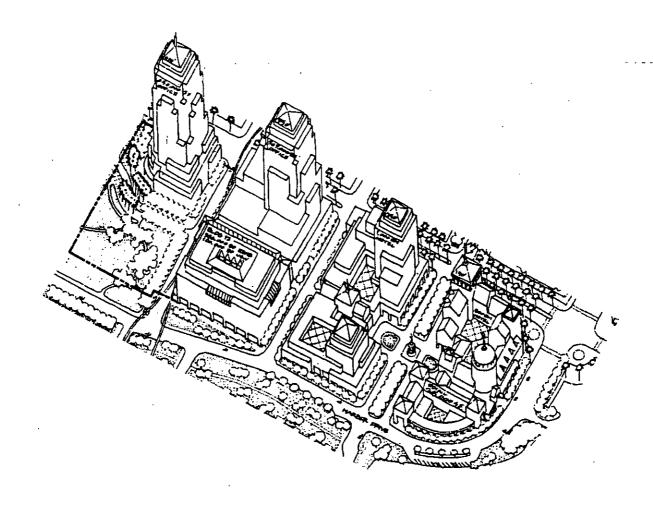
Public involvement through the redevelopment process would stimulate private reinvestment in the area and aid the neighborhoods in effectively competing in the city-wide demand for needed public improvements and services. The economic environment in and around the Redevelopment Project Area and Planning Area will thus be revitalized through new development, including continued increases to the property tax base and resultant increases to the tax increment available for redevelopment. Redevelopment will bring residents, employees and visitors into

downtown, with associated increases in spending and consumption of services. Properties adjacent to the redeveloped areas will have the incentive to improve their facilities to capitalize on the increase in activity downtown.



Final Environmental Impact Report Navy Broadway Complex Project

San Diego, California



October 1990

FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NAVY BROADWAY COMPLEX PROJECT

City of San Diego
City Administration Building
202 "C" Street
San Diego, California 92101

Contact: Maureen A. Stapleton Deputy City Manager

October 1990

PREFACE TO THE FINAL EIR

The National Defense Authorization Act for fiscal year 1987, Public Law 99-661, authorized the Navy Broadway Complex project. The Navy and City of San Diego executed a memorandum of understanding (MOU) agreeing to enter into a development agreement, including a development plan and urban design guidelines for the project.

Because both the Navy and the City of San Diego must approve the development agreement, both an environmental impact statement (EIS) prepared in accordance with the National Environmental Policy Act (NEPA) and an environmental impact report (EIR) prepared in accordance with the California Environmental Quality Act (CEQA) have been completed and address the potential environmental impacts of the proposed project.

This document is the Final EIR, for which the City of San Diego is the lead agency. In accordance with Section 21083.5 of CEQA, an EIS may be submitted in lieu of an EIR, to the extent that the EIS complies with CEQA and the State CEQA Guidelines. According to Section 21083.7 of CEQA, when a project requires preparation of both an EIS (in accordance with NEPA) and an EIR (in accordance with CEQA), "the lead agency shall, whenever possible, use the EIS as such EIR as provided in Section 21083.5." As provided by Section 15150 of the State CEQA Guidelines, an EIR "may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public."

The Final EIS was prepared to fully comply with the provisions of both NEPA and CEQA, and contains all discussions required by each act. The Final EIS is being circulated concurrently with and to the same agencies and members of the public as the Final EIR. Please see the Executive Summary of the Final EIS for a general description of the project and the major environmental issues associated with its implementation.

Draft Environmental Impact Report (Original Text)

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE NAVY BROADWAY COMPLEX PROJECT

City of San Diego
City Administration Building
202 "C" Street
San Diego, California 92101

Contact: Maureen A. Stapleton
Deputy City Manager

PREFACE TO THE DRAFT EIR

The legislation authorizing the Navy Broadway Complex project is the National Defense Authorization Act for fiscal year 1987, Public Law 99-661. The Navy and City of San Diego executed a Memorandum of Understanding (MOU) agreeing to enter into a development agreement, which will include a development plan and urban design guidelines for the project.

Because both the Navy and the City of San Diego must approve the development agreement, both an environmental impact statement (EIS) in accordance with the National Environmental Policy Act (NEPA) and an environmental impact report (EIR) in accordance with the California Environmental Quality Act (CEQA) are being prepared to address the potential environmental impacts of the proposed project.

This document is the EIR, for which the City of San Diego is the lead agency. In accordance with Section 21083.5 of CEQA, an EIS may be submitted in lieu of an EIR, to the extent that the EIS complies with CEQA and the State CEQA Guidelines. According to Section 21083.7 of CEQA, when a project requires preparation of both an EIS (in accordance with NEPA) and an EIR (in accordance with CEQA), "the lead agency shall, whenever possible, use the EIS as such EIR as provided in Section 21083.5."

The EIS was prepared to fully comply with the provisions of both NEPA and CEQA, and contains all discussions required by each act. As provided by Section 15150 of the State CEQA Guidelines, an EIR "may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public." This EIR incorporates by reference the EIS for the Navy Broadway Complex project. The EIS fully complies with CEQA and the State CEQA Guidelines, so the EIS shall also serve as the EIR for this project. The EIS is being circulated concurrently with and to the same agencies and members of the public as the EIR. Therefore, a summary of the contents of the EIS is not necessary within this EIR. The address to submit comments and request additional information is provided below.

CONTACT FOR INFORMATION AND SEND COMMENTS TO:

Officer in Charge
Western Division Naval Facilities Engineering Command Detachment
Broadway Complex
555 West Beech Street, Suite 101
San Diego, California 92101-2937
(619) 532-3291

COMMENTS ON THE DRAFT EIR

Written comments must be received at the above address by:	JUN _	<u>4 1890</u>	

CONCLUSIONS TO EIR:

An Environmental Impact Statement (EIS) was prepared to address the environmental impacts of each of the proposed alternatives. This EIR incorporates the EIS by reference. The EIS addressed land use and applicable plans, transportation and circulation, aesthetics and viewshed, public services and utilities, socioeconomics, the physical environment, biological resources, air quality, noise, cultural resources, public health and safety, and energy and conservation.

The preferred alternative, Alternative A, would include a 1.9-acre open space area, a museum, and specific design guidelines consistent with existing plans. Beneficial impacts to land use, viewsheds, recreational facilities, and socioeconomics would result from this alternative.

The proposed alternatives would include transportation demand management measures that would reduce the potential air quality impacts of the project. According to the California Air Resources Board, incorporation of these measures would demonstrate consistency with the State Implementation Plan.

The Regional Air Quality Strategy establishes a goal of maintaining a Level of Service (LOS) C or better to reduce idling of times and vehicular emissions. Cumulative development in the project vicinity would create congestion (Level of Service D or below) at six intersections. The proposed project would contribute a substantial increment to this congestion at one to two of these intersections. City of San Diego standards provide that this incremental contribution to the region's non-attainment of ozone and carbon monoxide standards is a cumulatively significant unmitigated impact.

RECOMMENDED MITIGATION OR ALTERNATIVES FOR SIGNIFICANT UNMITIGATED IMPACTS:

The No Project alternative, which would retain the site in its current condition, would eliminate impacts to air quality and traffic circulation. Other alternatives considered in the EIS would have similar impacts to the proposed project. These alternatives would have a cumulatively significant air quality impact.

MITIGATION MEASURES INCORPORATED INTO THE PROJECT:

In order to mitigate adverse circulation impacts, intersection improvements would be made in phases timed to construction on the various blocks of the project site. The improvements include the addition of turn lanes at the Broadway/Pacific Highway intersection and the signalization of Harbor Drive north of Broadway and the Pacific Highway/Harbor Drive intersection.

These measures would be implemented by the City of San Diego according to the proposed Development Agreement. Improvements to the Pacific Highway/Grape Street and Broadway/Front Street intersections are also planned by the City as recommended in the Centre City Transportation Action Plan. In addition, "E", "F", and "G" Streets would be extended through the project site. These measures would improve the levels of service (LOS) at three intersections from LOS E-F to LOS D. Other intersections would not be significantly adversely affected by the proposed project.

A Transportation Demand Management (TDM) program would be proposed for the project to reduce peak hour traffic impacts. TDM measures include the provision of reserved carpool spaces and encouraging transit use by accommodating only 80 percent of parking demand on site. Other measures could include the provision of bicycle lockers and transit information.

Operation of several intersections at LOS D would typically be considered a significant traffic impact. However, since the project site is located within Centre City where a densification of uses is necessary to support alternative commute modes, the project is not considered to have a significant traffic impact, from an operational standpoint, after the implementation of the above mitigation measures.

Potentially significant impacts to cultural resources associated with modification or removal of Buildings 1 and 12 would be mitigated by compliance with measures determined through consultation with the State Historic Preservation Officer.

Ann B. Hix, Principal Planner

City Planning Department

NOTICE OF PREPARATION (NOP) FOR A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DRAFT ENVIRONMENTAL IMPACT REPORT

LEAD AGENCY:

The City of San Diego, California

PROPOSED ACTION:

The Department of the Navy, in coordination with the City of San Diego, is proposing to redevelop its land known as the Navy Broadway Complex. The project site is located on approximately sixteen acres in downtown San Diego adjacent to the San Diego Bay waterfront and consists of eight city blocks that are bounded by Harbor Drive on the west, Market Street on the south, Pacific Highway on the east, and Broadway on the north (see Exhibits 1 and 2). The site is currently improved with a series of sixteen miscellaneous office and warehouse buildings containing in excess of one million square feet of gross floor area. The buildings were constructed between 1922 and 1945.

The Navy is proposing to consolidate in modern facilities the general regional administrative activities of the naval shore establishment in the San Diego area. These facilities are to be central to the San Diego naval commands, the population of the San Diego area and regional transportation systems. The Navy's objective is to redevelop this site through a public/private partnership designed to meet the Navy's regional administrative office space needs in a manner that will compliment San Diego's bayfront redevelopment. Approximately one million square feet of Navy office space is contemplated to be developed on the site by a private developer(s) for use by the Navy. Additional mixed-use (e.g. office, hotel, specialty retail) private development on the site will be allowed which is intended to offset the cost of the Navy-occupied space thereby reducing cost to the taxpayer.

A conceptual master plan and urban design guidelines will be prepared in coordination with the San Diego community through the City of San Diego to guide the development of the site. It is proposed that the Navy and the City will enter into a development agreement as the mechanism for approval and control of the site's development.

ENVIRONMENTAL CONSIDERATIONS

Prior to entering into such a development agreement, the City of San Diego is required to prepare an Environmental Impact Report (EIR) in compliance with the CEQA. The Navy will also be preparing an Environmental Impact Statement (EIS) for its proposed actions in compliance with the National Environmental Policy Act (NEPA). Because of issues common to both and to facilitate administration, joint hearings and meetings will be conducted for the NEPA and CEQA processes.

The EIR will be a full scope document that will cover all matters of potential environmental concern (an initial study is not attached to this NOP). The environmental analysis will address, but not be limited to, traffic and circulation, land use and planning, waterfront access, aesthetics and view

corridors, public services and utilities, socioeconomics, geology and seismicity, extractable resources, hydrology and drainage, biology, endangered species and critical habitat, air quality, noise, cultural resources, coastal zone management, public health and safety, and energy conservation.

Alternatives that are being considered include variations of private and Navy development on the Broadway Complex site, Navy-only development of the site, development of an alternative site in downtown San Diego, and no action.

COMMENTS ON THE SCOPE OF THE EIR:

The City of San Diego is requesting any comments you may have regarding the scope of the environmental analysis in the EIR. Because of issues common to both the Navy's environmental review and this process and to facilitate administration, the Navy is designated to collect and disseminate questions and comments regarding this process to the City of San Diego for response. Please submit comments, in writing, to the address provided below:

Officer in Charge
Western Division
Naval Facilities Engineering Command Detachment
Broadway Complex
1220 Pacific Righway
San Diego, California 92132-5190
Attn: Captain Wayne Goodermote, CEC, USN

Questions should be addressed to the same address or telephone inquiries can be directed to Anthony Principi, General Counsel, Broadway Complex Project Office, at (619) 532-3291. Written comments must be submitted by December 16, 1988.

In addition, joint public scoping meetings will be held to receive written and oral testimony from governmental agencies and the public about issues that should be addressed in the EIS/EIR. A morning session has been scheduled for agency representatives and an evening session for members of the public. The evening session will adjourn at 11:30 P.M. or earlier, if all comments have been received. The scoping meetings will be conducted by Captain Wayne Goodermote, the Officer in Charge of the Broadway Complex Project Office. The meetings will be informal. Individual speakers will be requested to limit their statements to five minutes. Written statements will be accepted at the meetings or they may be mailed to the address given above.

Both meetings will be open to the general public at the times and locations indicated below:

Morning Session

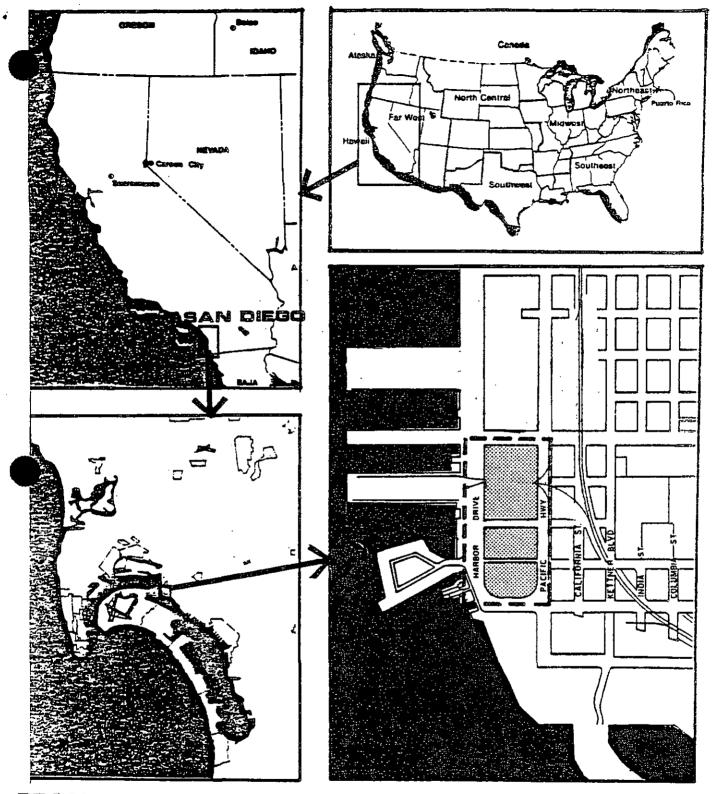
November 14, 1988 - 9:00 a.m.

City Administration Building 12the Floor 202 'C' Street San Diego, CA 92101

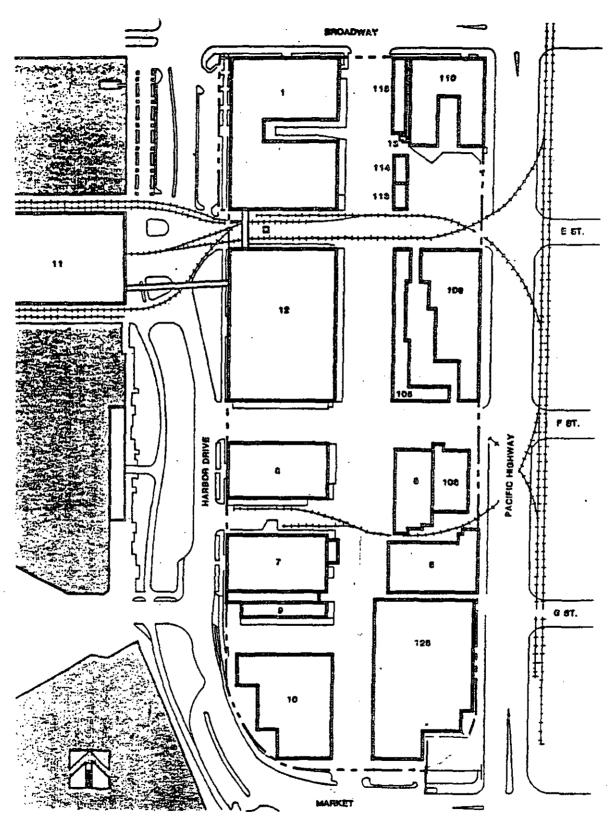
Evening Session

November 14, 1988 - 7:00 p.m.

City Administration Building 12the Floor 202 'C' Steet San Diego, CA 92101



BROADWAY COMPLEX, SAN DIEGO, CÁLIFORNIA

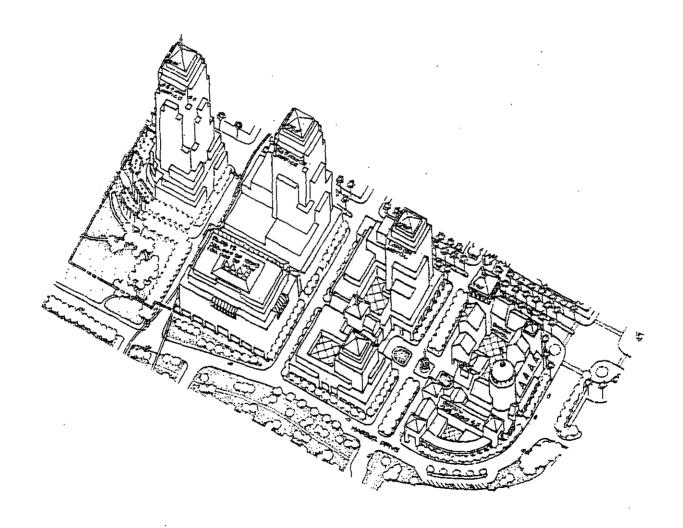


Broadway Complex, San Diego, California

EXHIBIT 2



Final Environmental Impact Statement Navy Broadway Complex Project San Diego, California



October 1990

FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE NAVY BROADWAY COMPLEX PROJECT

Western Division Naval Facilities Engineering Command Detachment
Broadway Complex
555 West Beach Street, Suite 101
San Diego, California 92101-2937

October 1990

FINAL ENVIRONMENTAL IMPACT STATEMENT (EIS)

U.S. DEPARTMENT OF DEFENSE DEPARTMENT OF THE NAVY

Pursuant to Section 102 of the National Environmental Policy Act of 1969, 40 CFR 1500-1508, and OPNAV Instruction 5090.1.

PROPOSED ACTION
Redevelopment of the Navy Broadway Complex, San Diego, California
LEAD AGENCY
Department of the Navy
ABSTRACT

The Navy has identified a need for administrative office space to accommodate the regional administrative activities of the San Diego naval shore establishment in modern facilities at a site central to other Navy facilities in San Diego. The Navy Broadway Complex is centrally located on approximately 16 acres in downtown San Diego, adjacent to the San Diego waterfront. The site is proposed for redevelopment through a public/private partnership in a manner that will provide needed Navy office space and complement San Diego's bayfront while retaining support activities for the continued operation of the adjacent Navy Pier. The office space will be provided at no cost to the Navy on a portion of the site in return for a long-term ground lease of the remainder of the site to the private developer.

The Navy and the City of San Diego will enter into a development agreement as the mechanism for approval and control of the site's development with approximately 3.25 million square feet of mixed uses that include Navy and commercial offices, a museum, hotel and retail space, and public open space. Alternative A described in the Draft Environmental Impact Statement (DEIS) has been selected as the preferred alternative. The Final Environmental Impact Statement (which incorporates provisions of the DEIS as shown in the table of contents) addresses the full range of potential impacts. Beneficial impacts will occur through the improvement of physical and visual waterfront access, provision of active pedestrian areas, and improved aesthetics. Direct, project-related adverse impacts will be mitigated to a level that is less than significant. A significant unmitigated cumulative impact on air quality will occur. The project will be consistent with local plans for the Central Bayfront and the Centre City, as presented in the Central Bayfront Design Principles and the Centre City San Diego Community Plan.

CONTACT FOR INFORMATION AND SEND COMMENTS TO:

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Broadway Complex
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San Diego, California 92101-2937
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COMMENTS ON THE FINAL EIS

Written comments must be received by: 27 DEC 1990	_
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EXECUTIVE SUMMARY

PURPOSE OF AND NEED FOR ACTION

The United States Department of the Navy is the owner and/or operator of 18 administrative, support, and operational installations throughout the City of San Diego area. One such installation is known as the Navy Broadway Complex, which primarily contains administrative and warehouse facilities, and is the location of the Commander, Naval Base, San Diego; the Naval Supply Center, San Diego; and several other Department of Navy activities. The Navy Broadway Complex is centrally located to the other Navy installations on approximately 15.6 acres in downtown San Diego near the waterfront. The site currently houses 405,753 square feet (SF) of office, 179,616 SF of industrial/warehouse buildings, and 421,660 SF of industrial uses for the Navy with a total 1,007,029 SF of development. Although outside of the boundaries of the proposed project, the adjacent Navy Pier is supported by personnel at the Navy Broadway Complex and is part of the complex.

The Naval Supply Center initiated long range plans in 1979 to move much of the warehousing from the Navy Broadway Complex site to new, modern facilities located at existing naval operational bases in the San Diego region. Subsequent to this, a regional study of Navy administrative and facility requirements was conducted. The study reaffirmed that the Navy Broadway Complex with the Navy Pier was essential for national security purposes. The Navy Broadway Complex was determined to be the most suitable site for Navy regional administrative offices because of its central location in relation to other Navy installations, and its preximity to several major regional transportation facilities, including light rail transit lines, a railroad, several bus lines, and an extensive freeway complex.

Redevelopment of the Navy Broadway Complex, with continued operation of the adjacent Navy Pier, was approved by the Chief of Naval Operations in 1983. A need for up to 1 million SF of upgraded office space has since been identified to accommodate Navy administrative personnel.

The typical means by which construction of Navy offices, or other military facilities, is funded is through Congressionally approved Military Construction (MILCON) appropriations, which are taxpayer-funded and Congressionally approved. However, Congress endorsed, through Public Law (P.L.) 99-661, a concept proposed by Navy planners and community groups by which the site would be developed at reduced cost to the taxpayers through a public/private venture. P.L. 99-661 was a component of the National Defense Authorization Act of 1987.

The legislation (and related Office of Management and Budget Guidelines) allows the Secretary of the Navy to enter into long-term leases of portions of the Navy Broadway Complex in consideration for the development of the needed Navy office space on the site at no cost to the Navy.

The Navy and the City of San Diego entered into a Memorandum of Understanding (MOU) on June 1, 1987 to guide the planning and approval process for redevelopment of the Navy Broadway Complex. The MOU specifies that the Navy, in consultation with the City of San Diego, will prepare a development plan and urban design guidelines that will define the nature of development that will occur on the Navy Broadway Complex. The development plan and urban design guidelines would become part of a development agreement between the Navy and the City of San Diego.

PROPOSED ACTION

The proposed action is described as Alternative A in the Draft Environmental Impact Statement. In accordance with this alternative, the Department of the Navy proposes to redevelop the Navy Broadway Complex with 3,250,000 SF of mixed uses (including 300,000 SF of above-grade parking). The project is intended to provide a balance between developed and open space uses on the site, while meeting the Navy's office space objective. Designed to maximize community objectives, the project would provide for a number of beneficial uses. Such uses are described below.

- A 1.9-acre public open space area would be provided for community use at the foot of Broadway, adjacent to the waterfront. This area could potentially be combined with adjacent properties to create an even larger open space that could be considered a new waterfront gateway to downtown San Diego.
- Up to 55,000 SF of space for a museum, which would be completed and operated by a community-sponsored organization.
- Pedestrian and vehicular access would be developed along E, F, and G Streets and would be upgraded on all streets surrounding the site so that access between the downtown core and the waterfront would be improved. Access along the waterfront would also be improved by providing a midblock pedestrian passage parallel to the bayfront.
- View corridors along E, F, and G streets would be opened to the waterfront.
- Ground-level retail would be provided to encourage pedestrian use of the area.

The proposed mix of uses for the project is shown below. Depending on market conditions, the square footage may be modified, with the overall square footage not to exceed 3,250,000 SF.

• Navy office: 1 million SF

Museum: 55,000 SF

• Commercial office: 650,000 SF

• Hotel: 1,220,000 SF (1,500 rooms)

Retail: 25,000 SF

Above-grade parking: 300,000 SF (800 spaces)

Total parking spaces: 3,105

The project would be designed so that the tallest buildings are in the northeastern portion of the site closest to downtown San Diego, while shorter structures step down to the waterfront to the west and south. The tallest building would be up to 400 feet in height, with the other buildings ranging from 100 to 350 feet. Buildings would have a slender design to provide open view corridors.

COORDINATION

During preparation of the draft and final EIS, affected agencies were contacted for technical information and elaboration of agency concerns. Mitigation measures were developed in coordination with such agencies. Additional coordination with some of the listed agencies may be required during project implementation:

- 1. City of San Diego (traffic and other infrastructure improvements)
- 2. California State Historic Preservation Officer (cultural resources)
- 3. National Park Service (cultural resources)
- 4. California Regional Water Quality Control Board (temporary construction dewatering)
- 5. Federal Aviation Administration (construction within a Federal Aviation Regulation imaginary surface)

A complete listing of all agencies consulted during preparation of the EIS is contained in Section 12. A complete listing of all agencies and individuals who commented on the draft EIS is included in Appendix F.

MAJOR ENVIRONMENTAL ISSUES

The draft EIS disclosed the potential environmental impacts of the proposed action and provided mitigation measures to reduce the significant impacts. The draft EIS was based on environmental issues identified by the Navy and through an early consultation process, which included the October 18, 1988 circulation of a Notice of Intent to public agencies and interested individuals, and the November 14, 1988 public scoping meeting. The draft EIS was circulated for public comments on April 13, 1990, and a public hearing was held May 16, 1990. The public review period was closed June 4, 1990. Comments on the draft EIS and responses thereto are included in Appendix F. Complete environmental documentation required by law is contained in the draft EIS and the final EIS, which need to be read together to obtain a comprehensive understanding of the project and its environmental consequences. The following discussion summarizes the major findings of the EIS.

Land Use and Applicable Plans: The project is compatible with surrounding land uses and provides active pedestrian uses such as an open space area (1.9 acres), pedestrian corridors, and space for a waterfront museum. It would substantially improve waterfront access by extending E, F, and G streets through the site to the waterfront and providing pedestrian-oriented improvements. The project is consistent with public access, coastal development, and visual resource policies of the California Coastal Act. It is also consistent with the general principles adopted for development of properties in San Diego's Central Bayfront, as well as with the preliminary Centre City San Diego Community Plan. In addition, the project creates a strong linkage between downtown and the waterfront and implements the City-adopted goals of providing open space at the foot of Broadway and waterfront-oriented land uses.

Transportation/Circulation: Development of Phase I of the project would not substantially affect any intersections. Long-term project operations would adversely affect the operation of several intersections in the project vicinity. Affected intersections include Grape/Pacific, Broadway/Harbor, Broadway/Pacific, and Broadway/Front. Intersection improvements associated with the project or programmed by the City of San Diego would reduce impacts at each intersection to less than significant. In addition to the listed intersections, long-term project traffic would significantly contribute to overcapacity conditions along Pacific Highway south of Broadway and First Avenue south of Ash. Planned improvements along First Avenue would reduce to less

'han significant expected impacts along the segment south of Ash. With implementation of a ravel Demand Management program, sufficient parking would be provided to meet parking demands onsite.

Aesthetics and Viewsheds: Viewsheds would be altered by replacing or upgrading the existing buildings. The project would be designed to be visually compatible with the surrounding viewshed and would beneficially affect viewsheds by opening up and/or protecting view corridors along Broadway and E, F, and G streets.

Geology and Seismicity: The site is considered to generally lie within the Rose Canyon fault zone. The project could be subjected to severe seismic shaking, with a potential onsite liquefaction hazard. Design measures to withstand geologic hazards would reduce adverse effects to less than significant.

Biological Resources: Terrestrial biological resources are not present because the site is already developed, so no impacts would occur. No substantial shadows would be cast over the bayfront during the time of the day when the sun is direct (after 9:30 a.m., even during the winter season), thus avoiding any potential significant effects to marine life. Mirrored glass would be prohibited in buildings, reducing the possibility for bird strikes.

Air Quality: Substantial new vehicle trips would be generated. An extensive Travel Demand Management Program would be implemented to substantially reduce the use of single-occupancy vehicles. The air quality management plan and State Implementation Plan are being updated to reflect current growth conditions. The primary means to reduce emissions will be a reduction in agle-occupancy vehicles. The project would be compatible. However, the San Diego Air Basin has not attained standards for ezone and carbon monoxide. The project would contribute substantially to congestion at one intersection (Pacific/Grape). Because of the air basin's non-attainment status, this would result in a significant contribution to cumulative regional air quality impacts.

Cultural Resources: The site is underlain with artifacts from waterfront development between the 1880s and 1910s. These materials are buried beneath the dredged fill placed onsite to create dry land for more development. The archaeology, while containing many artifacts, lacks stratigraphic integrity and context, and is therefore unlikely to contribute important information about San Diego's early history. The archaeological resources do not appear to qualify for inclusion in the National Register of Historic Places. This has been confirmed through consultation with the California State Historic Preservation Officer and the Advisory Council on Historic Preservation. Excavation for footings and other below-grade construction would destroy any archaeology that might exist but this would not result in the loss of a significant resource. Should an unanticipated significant archaeological resource be discovered during project excavations, it would be evaluated and, if found to be important, would be treated in accordance with 36 CFR 800.11.

Navy Broadway Complex Buildings 1 and 12, combined with the Navy Pier (located outside the project boundaries), form a unit that represents every major period of Navy development at this location. These structures have been an architectural feature of the San Diego Harbor and skyline for nearly 50 years. As a unit, they appear to qualify for the National Register of Historic faces. Demolition or any substantial modification of these structures would constitute a lignificant impact. Specific mitigation has been developed in consultation with California SHPO pursuant to the regulations (36 CFR 800) for implementing Section 106 of the National Historic

Preservation Act (16 U.S.C. 470f). The Navy will record Buildings 1 and 12 in accordance with the Historic American Buildings Survey Standards prior to demolition or modification.

Public Health and Safety: Minor hazardous waste spills were located or may be located on the site. In addition, transformers that contain PCBs are located on the site although none are known to be leaking. Because the presence of hazardous waste can affect public health, this would be considered a significant impact with any of the alternatives. There are no known major hazardous waste spills or leaking underground storage tanks on the site. Remedial action to remove and properly dispose of any hazardous waste found on the site will occur. Most of the existing buildings on the site contain asbestos. A potential public health hazard would result during demolition, when asbestos fibers could become air-borne. The project would be required to comply with the Federal Clean Air Act to protect the public from exposure to asbestos.

A groundwater plume that has been contaminated with hydrocarbons is 1/3 mile (estimated) and downgradient of the Navy Broadway Complex. Groundwater quality testing at the site found no evidence of contamination. Although unlikely, temporary groundwater dewatering during subsurface construction could draw the plume toward the site. A National Pollutant Discharge Elimination System Permit covering the discharge of construction dewatering effluent was issued by the Regional Water Quality Control Board. The developer will apply for authorization to discharge under authority of that permit.

The 400-foot-high building on Block 1 would exceed non-operational imaginary height surfaces, but based on a Federal Aviation Administration (FAA) determination, would not result in a hazard to air navigation. Buildings on the easterly areas of Blocks 1, 2, and 3 would be obstruction lighted, per FAA standards.

APPENDIX F

RESPONSE TO COMMENTS
ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE
NAVY BROADWAY COMPLEX PROJECT

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SECTION 1

INTRODUCTION

On April 13, 1990 the Department of the Navy and the City of San Diego distributed to public agencies and the general public the draft environmental impact statement (DEIS) and the draft environmental impact report (DEIR) for the Navy Broadway Complex project in San Diego, California. In accordance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), a 45-day public review period for the documents was provided, and it ended June 4, 1990. A number of written comments were received. In addition, a public hearing was held in San Diego on May 16, 1990 to receive oral comments.

All comments on the DEIS and the DEIR, and the responses thereto, are presented in this document. Section 2 provides all the comments on the documents, and Section 3 presents responses to significant environmental points raised in the comments. A number and letter (eg., "B-3") is placed adjacent to each comment in Section 2. Each comment is keyed to a response in Section 3 using this notation.

This document, together with the DEIS, constitutes the final EIS (FEIS). Where a comment results in a change in the EIS text, a notation is made in the comment indicating that the text is hereby revised. The final EIR (FEIR), prepared in accordance with CEQA, is being circulated to the public by the City of San Diego simultaneously with this document. The final EIR incorporates by reference this document.

SECTION 2

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

z.1 LIST OF COMMENTATORS

All comments on the DEIS are listed below with the letter designation assigned for crossreferencing purposes. This list represents all comments received as of June 4, 1990. The verbatim comment letters and a verbatim transcript of the public hearing are presented in Section 2.2.

2.1.1	WRITTEN COMMENTS
A.	Robert S. Joe, United States Department of Army, Corps of Engineers, May 22, 1990
B.	Kenneth W. Holt, M.S.E.H., United States Department of Health and Human Services, May 24, 1990
C.	Montague D. Griffin, May 25, 1990
D.	Don L. Nay, Port of San Diego, May 31, 1990
E.	James T. Cheshire, State of California, Department of Transportation, June 1, 1990
F.	Michael J. Stepner, City Of San Diego, City Architect, May 31, 1990
G.	Craig Adams, June 3, 1990
	Dwight E. Sanders, State of California, State Lands Commission, June 4, 1990
Ĭ.	Harry E. Wilson, June 1, 1990
Ī.	Norman W. Hickey, County of San Diego Chief Administrative Office, June 1, 1990
K	Frederick M. Marks, Citizens Coordinate for Century 3, June 4, 1990
L.	Robert P. Martinez, State of California, Office of Planning and Research, June 4, 1990
M.	Gordon F. Snow, Ph.D., State of California Resources Agency, June 4, 1990
N.	Dennis J. O'Bryant, State of California, Department of Conservation, May 24, 1990
0.	Peter M. Douglas, California Coastal Commission, June 8, 1990
₽.	Max Schmidt, Centre City Development Corporation, June 13, 1990
Q.	Deanna M. Wieman, United States Environmental Protection Agency, June 15, 1990
2.1.2	ORAL COMMENTS RECEIVED AT MAY 16, 1990 PUBLIC HEARING
ĦĄ.	Colleen Cronin, National Safety Associates
нB.	Don Wood, C-3 and the Bayfront Coalition



DEPARTMENT OF THE ARMY LOS ANGELES DISTRICT, CORPS OF ENGINEERS P G. BGE 2711

LOS ANGELES, CALIFORNIA 99053-2225

May 22, 1990

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Office of the Chief Environmental Resources Branch

Mr. L.D. Misko Director of Planning Naval Facilities Engineering Command Detachment Broadway Complex 555 West Beech Street, Suite 101 San Diego, California 92101-1937

Dear Mr. Misko:

We have reviewed the Draft Environmental Impact Statement from your office, and the Draft Environmental Impact Report from the City of San Diego for the Navy Broadway Complex Project, as requested in a letter from your office, dated April 13, 1990.

Work in waters of the United States might require a permit under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. Please give our Regulatory Branch documentation that clearly describes the area and extent of any proposed work in watercourses and adjacent wetlands to help us make that determination.

If the proposed project involves any Federal assistance through funding or permits, compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f) and implementing regulations, 36 CFR 800, will be required.

Thank you for the opportunity to review and comment on this document.

Sincerely,

S. Joe

Chief, Planning Division

2-2

A 2



0000002

Centers for Disease Control
Atlanta GA 30333

May 24, 1990

Officer in Charge
Western Division Naval Facilities Engineering
Command Detachment
Broadway Complex
555 West Beech Street, Suite 101
San Diego, California 92101-2937

Dear Sir:

We have completed our review of the Draft Environmental Impact Statement (DEIS) for the Navy Broadway Complex Project, San Diego, California. We are responding on behalf of the U.S. Public Health Service.

We note that existing onsite contaminates, particularly asbestos ind PCB's, have been investigated and does not pose imminent health threats. If any demolition occurs, the Navy will use acceptable practices in compliance with the Clean Air Act, and other Federal and State requirements to minimize potential exposures. Also, we note that several areas with questionable contamination will require further investigation, and remedial action to remove and properly dispose of any hazardous waste found onsite will occur to ensure protection of public health. We believe this DEIS has adequately addressed potential adverse impacts and appropriate mitigative measures, and we do not anticipate any significant public health impacts from the proposed action.

Thank you for the opportunity to review this DEIS. Please ensure that we are included on your mailing list to receive the Final EIS for this project and future DEIS's developed under the National Environmental Policy Act (NEPA).

Sincerely yours,

Kenneth W. Holt, M.S.E.H.
Environmental Health Scientist
Center for Environmental Health
and Injury Control

S-1

00000003

MONTAGUE D. GRIFFIN 2034 UPAS STREET SAN DIEGO CA 92104 MAY 25, 1990

COMPENTS ON THE DRAFT ENVIRONMENTAL DAPACT STATEMENT: NAVI BROADWAY COMPLEX PROJECT, SAN DIEGO, CALIFORNIA

1. General Comments

None of the seven Alternatives best serves the public interest of the citizens of San Diego. All have substantial liabilities, including increased impacts on fire and police protection, traffic, circulation and parking, schools, recreation, air quality, viewscapes and aesthetics, and the Sayfront overall. All are growtheinducing.

Granted the validity of the CNO's determination that the Navy requires one million square feet of Navy office space, the most appropriate alternative is for the Navy to follow the Military Construction Appropriation process, justify the development scale and costs to Congress. and fund the construction from Federal funds, construct the approved project wholly on "lock 2, and lease the other three blocks of the site to the City of San Diego for purposes of Bayfront park and open space. Gnly this approach will truly minimize the development impacts and maximize the public benefit. The DEIR does not address the economic risk of the proposed public-private levelopment venture process. Developing more major hotels downtown is a risky business. There is no guarantee of success. The entire project as proposed is based upon three tenuous hypotheses: (1) that private development can be undertaken within the Navy's required time frame, (2) that the private portion of the project will be financially viable, and (3) that the ultimate lost to tampayers will be less.

There is a substantial probability that the project will cost the tampayers more, not less, as a result of the Navy's approach.

C-1

...

Given the opportunity, I believe most San Die ans would prefer to see a clean-cut, out-in-the-open financing for a project consisting of exactly what the Mavy requires C-4 for its administrative facility on the Bayfront, no less and no more, and dedicate the remainder of its frontage for the public good.

2. Specific Comments

(a) Page 1-3, Para. 1.2.1

Only an alternative such as that suggested in paragraph 1. above would provide significant downtown layfront open space, access, and view corridors.

C-5

(b) Page 1-12, Alternative E

Alternative E is fatally marred by its exorpitant use of the entire site. It is an ill-conceived and inappropriate implementation of the correct concept for the est.

C-6

(c) Page 1-12, Alternative F

Alternative F is a distant second choice for the project, but certainly, on balance, preferable to Alternative A because of the greater potential for a foot-of-Broadway park.

C-1

(d) Inje 4-74 et seq., Para. 4.3 Aesthetics and Viewsheds
Viewed from any aspect, the preferred Alternative A and several of the others

are seriously detrimental to Dayfront sesthetics.

C-8

(e) Page 4-111, Effects of Shadows

10 am and 2 pm shadowgrams do not with any realism portray the extraordinary effects of sunlight blockage by highrise buildings. One can only laugh at the unwarranted and unsupported statements within the last paragraph of page hellh.

C-9

(f) Page 4-122, Table 4.4-3

in view of the serious efforts to reduce water usage, the daily consumptive water use data should be revired downward.

C-10

(g) Page 4-126, Para. 4.4.7 This section should identify for the proposed project any on-site toxic and hazardous materials usage and storage.

- (h) Page 4-144, Geology and Seismicity The DEIR does not provide an adequate discussion of site geology, seismicity, identification of the fracture zone, or liquification potential. Core sample depth | C-12 (blu feet) ampears inadequate. Discussion of mitigations appear to be absent.
- (i) Page h-151, Siological Resources While it is possible that the very limited discussion of biological resources adequately describes the potential impacts to the biological resources of the Bayfront, there is a conspicuous absence of any positive contribution by the project to enhancement of the zoological (especially avian) environment.
- (j) Page 4-154, Meteorology Wind rose and mean speed statistics are not an adequate pasis upon which to evaluate building profiles and orientations, or glass exposure. Wind speed distribution functions should be given as a function of building heights.
- (k) Page 7-1, Para. 7.3, Aesthetics and Viewsheds This paragraph seriously misstates the consequences of the proposed project.

3. Typographical Errors

(a) Fage 4-142	٦
Within the first "bullet", second sentance, replace "F" by "G".	C-16
(b) Page L-208	7.4.
Within the legend, the page citations are missing.] C-17



Port of San Diego

and Lindbergh Field Air Terminal

(619) 291-3900 · P.O. Box 488, San Diego, California 92112

May 31, 1990

Officer in Charge
Western Division Naval Facilities Engineering
Command Detachment, Broadway Complex
555 West Beech Street, Suite 101
San Diego, CA 92101-2937

Subject: Navy Broadway Complex Project EIS/EIR

Dear Sir:

Our review of this document has prompted the identification of areas where it is felt that there is a deficiency in the information provided. These matters deal with: (1) the ability of the project to stand on its own merits without shifting development costs to other entities, (2) encroachments into the Lindbergh Field flight path, (3) curtailment of direct access by the closure of Broadway from downtown, and (4) a continuation of a serious deficit in the provision of on-site parking facilities.

The project should be evaluated so that it would stand on its own merits rather than to continue the efforts to use adjacent properties not owned or controlled by the Navy to add amenities. The District retains planning jurisdiction for its area, and has not assumed responsibility to carry forward the Navy's general proposals on Port lands. In particular, the public cost created by this development plan should be documented for the cost of suggested off-site open space, street closures, and new street systems. Public subsidies necessary for the museum operations proposed in the project should also be identified in the EIS.

The Navy's plan proposes a 400 foot tall building which is a 100 foot encroachment into the aircraft flight path at the foot of Broadway. The EIS should discuss the cumulative impacts of flight path height clearance encroachments by individual buildings in this area.

The closure of Broadway to direct vehicular traffic will curtail access from downtown to Harbor Drive and the adjacent shoreline. In the area between Ash Street and Market, which consists of a six block length,

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Officer in Charge Western Division Naval Facilities Engineering Command Detachment, Broadway Complex May 31, 1990 Page 2

Broadway is the only street at present which links downtown to the shoreline. The District's current planning policies encourage retention of Broadway as well as a new street to serve B Street Pier which would run across Port properties on an alignment close to B Street extended. The streets proposed by the Navy's plan for C Street and the linkage from C to Broadway are not consistent with our planned development. The Navy's illustration also shows C Street severing Port property in a way which would cause a diminution in value. The EIS should not assume that C Street and its proposed link to Broadway will be built, and under those circumstances, draw conclusions as to the impact of traffic on the intersections in the area.

All of the Navy's proposed development alternatives contain severe deficiencies in on-site parking supply. Since the proposals only provide from 50 to 55 percent of the total on-site parking demand, an nusually heavy reliance is placed upon transportation demand anagement techniques and on adjacent areas to fully meet the parking demand generated by the proposed development. The Navy appears to be providing only about 21 percent of its total on-site parking demand, which has placed undue competition for available parking spaces in the surrounding streets, adjacent parking areas, and in those areas allocated for commercial activities at G Street Mole, Seaport Village, and Lane Field. In the future, it is not anticipated that these areas will be available to meet the parking demand of Navy property development. The project tends to continue the adverse impact of inadequate parking facilities on Navy property, both at the proposed Broadway Complex development and at the Engineering Facilities Command on Pacific Highway.

Corrections to the contents of the EIS are suggested. On page 3-6, the report states, "...provision of open space outside of the project boundaries is not part of this project...," yet numerous illustrations show a dependent interface with a proposed open space area outside the project (Figures 3-4, 3-5, 3-8, 3-9, 3-14, and 4-4). The referenced maps should be corrected to reflect the current status of the adjacent area as shown in Figures 3-10, 3-11, 3-12, and 3-15. On page 4-11, the illustration of pedestrian oriented streets, walkways, and plazas, should be corrected to show the planning policies of the Port Master Plan if this document (the EIS) insists on covering those areas outside of the jurisdiction of the military. As presented, the representation seems to imply official sanction where none exists.

The discussion on page 4-20 dealing with the Port's planning jurisdiction and review by the California Coastal Commission should

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D-5

D-7

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Officer in Charge Western Division Naval Facilities Engineering Command Detachment, Broadway Complex May 31, 1990 Page 3

be revised. The California Coastal Commission would only review a project already identified in the Port Master Plan if it falls within the definition of an appealable development in the California Coastal Act. If a development is determined not to be consistent with the Port Master Plan, then the project could not proceed or a plan amendment would be filed for review and certification by the California Coastal Commission.

D-7

Very truly yours,

DON L. NAY

Port Director

DLN:jr

DEPARTMENT OF TRANSPORTATION DISTRICT 11, P.O. BOX 85406, SAN DIESO 92184-5406

0000005



June 1, 1990

11-SD-005 (SD-Centre City)

Officer in Charge
Western Division
Naval Facilities Engineering Command Detachment
Broadway Complex
555 W. Beech Street, Suite 101
San Diego, CA 92101-2937

Attention L. D. Misko, Director of Flanning

Dear Mr. Misko:

DEIS/DEIR for the Navy Broadway Complex Project. San Diego, CA

Caltrans District 11 comments are as follows:

Page 4-47: These highway improvements have not been programmed by Caltrans. Page 4-73 indicates that they are based on 1986 SANDAG information.

Ξ.

The Navy and the City of San Diego should provide financing for a southbound direct connection from Interstate Route 5 to Pacific Highway. That mitigation would help to provide additional capacity for the increased traffic in the Centre City area.

E-2

Our contact person for Interstate 5 is Jim Linthicum, Project Manager, Project Studies Branch "B", (619) 237-6952. For information on Transportation Demand Management (TDM) strategies contact Manuel Demetre, Chief, Regional Ridesharing Branch, (619) 237-POOL.

Sincerely,

JESUS M. GARCIA District Director

34 M. O.

JAMES T. CHESHIRE, Chief Environmental Planning Branch

MO:ac



THE CITY OF

0000006

SAN DIEGO

525 "B" STREET . SUITE 2002 . SAN DIEGO, CALIFORNIA 92101 - 4411

PLANNING
DEPARTMENT
OFFICE OF THE
DITY ARCHITECT
133-4500

May 31, 1990

Mr. L. D. Misko
Director of Planning
c/o Officer in Charge
Broadway Complex
555 W. Beech Street, Suite 101
San Diego, CA 92101-2937

Subject: Broadway Complex Draft EIR/EIS

Dear Mr. Misko:

This is in response to your request for written comments on the above referenced document. As you are aware, the City Architect's Office has been included in negotiations which will culminate in a development agreement between the U.S. Navy and the City of San Diego for development of this sixteen-acre site. We are also aware that the City of San Diego is the lead agency on this EIR/EIS. Because of our role in the development agreement and our responsibility to relate to projects of this magnitude from both a planning and urban design perspective, we felt it appropriate to forward these comments for your consideration.

As part of this development agreement process, the City Architect has provided considerable input into the evolution of the preferred alternative for this project (Alternative A). In addition, the Broadway Complex Coordinating Committee (BCCG) and the Centre City Planning Committee (CCPC) have provided considerable direction to the Navy for development of this site and others on the Central Bayfront.

This direction has resulted in the Nevy's use throughout "Alternative A of those planning objectives recommended as part of both the BCCG and CCPC recommendations. Alternatives B-F may achieve some level of conformance with these recommendations; but, because they may vary in some way from both Alternative A and each other, none of these alternatives achieves the same consistency with the stated objectives of these plans,

F. 1

Mr. L. D. Misko May 31, 1990 Page 2

Two areas which we feel warrant further clarification are: 1) the expressed need in Alternative A for 800 above-grade parking spaces (depicted as 800 spaces in a five to six floor, 300,000 SF encapsulated above-grade structure), and 2) the mitigation of regional air quality degradation as a result of the proposed increase in vehicle traffic in the area as a result of this project.

F-2

In the case of the above-grade parking, the stated objective of both the BCCG and CCPC plans is to restrict above-grade parking facilities throughout Centre City and, in particular, the Central Bayfront. We feel that this alternative should be developed further, either eliminating some of these spaces, undergrounding them, or positioning them in other underground facilities spread throughout the sixteen-acre site.

F-3

ditigation of regional air quality impacts requires a more elusive remedy and may ultimately result in a provision or requirement for alternative modes of transportation rather than reliance on providing the amount of proposed on-site parking.

F-4

In summary, we find the proposals in Alternative A to be in substantial conformance with both existing and proposed Centre City Planning. The two (2) items referenced above are significant in both their impact on the urban form of the city and the region's air quality, and should be evaluated in subsequent responses to comments on the EIR/EIS.

F-5

Questions regarding this letter should be addressed to Lawrence C. Monserrate, Principal Planner (619-533-4516).

Sincerely

Michael J. Stepner

City Stellitect

MS:LM:cyc

co: Maureen Stepleton, Deputy City Manager Ernest W. Hahn, Chairman, CCPC Pam Hamilton, Executive Vice President, CCDC Ann Hix, Development and Environmental Planning

CRAIG ADAMS

0000007

25 Arbor Drive, San Diego, CA 92103-619/293-3649

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June 3, 1990

Officer in Charge
Western Division Navel Facilities Engineering Command Detachment
Broadway Complex
555 West 3each Street, Suite 101
San Diego, California 92101-2937

Jen 4 4 50 Fil 190

Subject: Comments On the Draft Environmental Impact Statement (EIS), Navy Stractway Complex. Project, San Diago, California

Attention: Officer in Charge

The following review comments are offered to assist the United States Nevy in its planning and deliberation concerning its future plans for the Broadway Complex site in San Diego and to aid public officials, such as members of the San Diego City Council, who will represent the citizens of this community in negotiations concerning this matter.

The author of these comments has closely followed developments relating to Centre City planning in San Diego over the last year and one-half — including attendance during this period of nearly all the meatings of the Broadway Complex Coordination Group and the Centre City Planning Committee. The author has training in planning, a mesters degree in Metropolitan Studies from Syracuse University plus an MBA from the University of Wisconsin and professional planning experience as the Deputy Director and Director of the Wisconsin State Planning and Energy Office. These comments are offered on my own behalf as an interested citizen and to not represent any organized group.

The remarks are presented in three sections: 1) summary of comments; 2) eleboration of comments on major points; and 3) more technical comments concerning specific sections of the EIR. To simplify matters, except where there are references to specific alternatives, such as Alternative F, all the remarks are directed to the EIR's treetment of Alternative A, the Navy's preferred elternative.

Although these comments raise some concerns about the completeness of the EIR energies in specific respects, the Newy should be commended for the general breadth of scope and thoroughness of the EIR. Of special note is the provision of the paired photographs and visual simulations which depict pancramic views of the proposed site development and the surrounding erress. This material should prove very helpful to decision makers in availating the assistation and viewshed. The EIR is well organized and provides a generally comprehensive and clear bests for public discussion and public official action. The following comments are intended to enhance its completeness and usefulness.

SUMMARY COMMENTS

1) The underlying policy issue involves the appropriateness of applying the "co-location" concept, whereby a new Marry office facility would be developed at no- or low-cost to the general texpoyers by revenues gained from private development on the site. Secause the Draft EIS severally limits its discussion of alternatives that do not maximize the co-location objective, it is difficult for citizens and policy makers to assess the relative advantages — or disadvantages — of the co-location approach.

Page 2 - Comments on Boradway Complex EIR By Criag Adams

- 2) The alternative, which explores potential rause of the site under a traditional funding approach, should be refined or an additional alternative developed which can test the relative benefits and casts of a reduced emphasis on the no-texpayer-cost, co-location approach. The construction of an alternative which emphasizes surface parking does not present a reasonable comparison.
- 3) Depending on interpretation, there are a number of instances where the recommended project alternative might be in conflict with planning policies established by the State and the City. Specifically, these include the City's policy supporting a concentrated office and commercial core and stepped intensity and scale of development toward the weterfront and the State's management of tidelands which stresses the use of this scare resource for directly occen-related uses. In some cases the EiS overlooks these issues; in others it supplies its own conclusions besed on limited technical information which do not address the range of trade-offs or some key areas of policy judgement.
- 4) The EIS does not highlight the fact that office development located literally on the waterfront is a break with previous planning policies in San Diego. Under present State and City policies it is not likely that high-rise, general commercial offices could be developed in the tidelands area, except as the jurisdictions of these two entities are superceized by federal authority. Policy makers should have more information than is presented on the implications of this type of development for other areas of the core and with respect to the utilization of a very scare resource waterfront land.
- 5) Previous transportation studies have concluded there was the potential for significant congestion on Cantra City freeways and freeway namps as the result of planned development in the Cantra City. The Broadway Complex Project would increase the previously analysed development level. However the EIS does not systematically address potential impacts on the freeway and freeway ramp system.

AREAS OF CONCERN REGARDING THE EIS

Instrument of the Co-Incation Concept. The underlying public policy issue facing both federal and local decision makers concerning the process facility involves the Navy's proposal to offset the cost of development of a new San Diego Regional Administrative Office by means of a ground lesse and private development on a large proportion of the present Navy site. The proposed co-location approach involves potential trade-offs between the cost savings to the nation's general texpayer and potential benefits that might be gained by alternative uses for the Broadway Complex site other than those necessary to examplish the no-cost objective for new Mavy office development. These types of trade-offs are not discussed nor, as argued in the following point, is adequate information provided about alternatives to weigh these considerations.

The need for, priority of and location for a new Mayy regional office facility is best addressed by weighing the proposed project against others in the established Defense Department and Congressional budgetary process. Focusing on the cost-to-texpayer reductions meda possible because of the fortuitous location of the present facility hat has become valuable property is a questionable resource allocation and commitment procedure.

<u>Adaquative of Alternatives.</u> To appropriately assess the co-location option, there should be a base of comparison against an alternative approach — in this case, development of a Navy office facility under traditional authorization.

G-2

G-3

G-4

G-5

G-3

Page 3 - Comments on Boradway Complex EIR By Criaq Adams

and appropriation procesures and the reuse, under established procedures, of the portions of the site not needed for the office facility.

The EIS provides a very restricted set of information to essist in this type of evaluation. Alternative E, which is intended to provide a point of comparison involving traditional funding for Navy office development on the site, is especially uncreative and does not reflect alternative benefits which would be possible with traditional development of a new Navy office facility. The implication that the only alternative use for much of the site — if a new Navy office were developed from traditional funding sources — would be for surface parking is either unimaginative or less than straightforward.

G-7

As an example of the type of alternative that would be possible, I would direct the Navy's and other interested parties' attention to the design concept which was developed by an architectural team headed by Rob Quigley in a design competition for the 6 Street Mole which immediately adjoins the Broadway Complex property. Quigley's 6 Street Mole Embarceiero proposal included a mix of uses some serving the commercial fishing industry, an urban amphitheater plus community and visitor facilities, including an aquarium, information center, fishing museum, theater and retail activities.

In effect, the Navy is indicating that much of the present Navy Broadway Complex facility is surplus to its direct mission needs. This perspective is especially interesting in light of the fact that the Broadway Complex properties have been deeded to the Federal Government by the City of San Diego - presumable for use in the direct exercise of federal government activities.

G-8

There are well established procedures for the disposal of surplus federal property. The EIS does not acknowledge this option nor does it identify the types of reuse, and the associated benefits, possible under such a scenario—specifically the potential for lower—scale and lower—density development immediately adjacent to the Bay and the potential for a larger commitment to public open space. In addition, the options do not explore the trade—offs that might be possible by partial use of the co—location concept to offset a portion of the cost of a new Navy office facility. It may be up to local community interests to formulate this type of alternative.

PLANNING and LAND USE CONSISTENCY

Until the Broadway Complex development was proposed by the Navy, there was little formal local planning consideration of the proposed site - apparently the various local planning entities assumed the property would continue in direct Navy use for manitime-related activities. Neither the Port's Embarcasero Plan nor the present Centre City Community Plan (adopted in 1976) address this area of the waterfront in terms of desired uses. The recommendations of the Broadway Complex Coordinating Committee, which directly considered the Broadway Complex proposal, are at this stage advisory; they have not received public discussion outside, the Centre City Planning Committee process nor consideration and extion by elected officials.

G-9

However, the community has experienced extensive public discussion and debate concerning the nature, particularly the scale, of development in the immediate vicinity of the waterfront — especially scuth of Harbor — Drive with strong concerns expressed that a "walling-off of the Bay" has occurred. The primary issues have involved the acequacy of public open space along the Bay; the competibility of nearby high-rise development with public areas elong the water; and physical and visual access to the Bay. The EIS makes no acknowledgment of these

Page 4 - Comments on Boradway Complex EIR By Criag Adams

conflicts and debates. Also, because of the limited nature of the eiternatives that are examined (discussed in "Adequacy of Alternatives" above), there is no detailed evaluation of the underlying potential conflicts and tradeoffs.

G-9

As indicated in the EiS, the Draft Centre City Community Plan highlights that the Waterfront is to "serve as its (the City's) major open space, its park and its playground." While the EIS clearly establishes the improvements that will be made in pedastrian access through to the Bay when compared to the existing Navy facility, it does not address the impacts on pedastrian uses along the waterfront nor does it identify what more extensive publicantented uses might be made of the portions of the property not directly needed for Navy administrative offices. Plans for the Centre City have stressed the objective of a "concentrated urban core" of office and commercial activities. The preferred Broadway Complex proposal will further extend the limits of the office district which is now expanding westward along Broadway. The important point is that this waterfront-related office development res implications for other areas in the Centre City. The EIS should address the likelihood that the favored Baysida location of the proposal commercial office developments on the Broadway Complex site will be at the expense of prignally defined core area—and that this weakening of the office core will impact on commercial redevelopment potentials, especially in the Core and Centre City East.

G-10

G-11

G-12

It Centre City Plan also supports the concept of "stepped intensity and scale" of development. While there are varying interpretations of what this concept means and how it should be applied - particularly whether it should extend to the water in all direction from the existing core or only to the north and to the south from a 3-readway "spine" — its significance should be acknowledged and the possible impacts of the proposed Broadway Complex development evaluated. One thing is clear. The "stepped intensity and scale" concept, as it has been tiscussed, was not forwarded as a project-level design concept; it was intended to provide guidance to the general Irban form of the Centre City, extending over the area of many blocks.

Nateriront Commercial Office Development

Prior to the Navy proposal for co-location development of the Brozdway Complex, there are no indications in history of planning for San Diego's Cantre City area that high-rise, private office development was considered an appropriate use an properties directly adjoining the waterfront.

With the exception of federal property, control of the tidalands within the City of San Diego is the responsibility of the San Diego Unified Port District. The Port District was established in 1962 by the State Legislature with the tuty to act as trustee for the people of California in promoting commerce, nevigation, recreation and fisheries on the state tide and submerged lands around the periphery of San Diego Bay. Under its State enabling gravisions, the Port is prohibited from developing office uses within the tidelands area, except as they may be directly related to the aziministration of Bay-related activities.

G-13

Page 5 - Comments on Boradway Complex EIR By Criag Adams

The Havy Broadway Complex preferred alternative, which provides for the development of 650,000 square feet of commercial office speed, stands in striking contrast to the State policy for management of these tidelands. Development of general office facilities on the Broadway Complex site would be permitted only because of federal jurisdiction over this property. If the land were declared surplus for federal needs, its ownership and control would logically revert to the jurisdiction of the Unified Port District which would be restricted from developing it for general office use.

G-13

It is worthy of note that a recent Urban Land Institute report on Centra City Sen Diego recommended that the Newy limit its presence in the project area to uses <u>requiring</u> an occesside location.

Transportation/Circulation

The 1985 <u>Centre City Transportation Action Program</u> (CCTAP), prepared for the City of San Diego by PRC Engineering, identified a series of traffic capacity and circulation problems projected for the Centre City area. Prominent among these problems were capacity deficiencies on the freeways and for several of the freeway ramps serving the Centre City. For the set of growth-assumptions that in retrospect seem most realistic, SR-153, 1-5 north of the Centre City and SR-94 were projected to be over-capacity by about the year 2000. Also, capacity deficiencies were identified for a number of freeway ramps, especially those which most directly serve the western portions of the Centre City including i-5 northbound at Elm; SR-163 northbound at Eleventh; i-5 southbound at Fifth and i-5 southbound at First.

G-14

The CCTAP report concluded these deficiencies would be particularly hard to remedy not just because of fiscal resource limitations but also because there were underlying physical and political constraints to adding freeway and freeway ramp capacity. Since these projections were made, the planned development density for the Centre City area has increased; the proposed Broadway Complex development would further increase development and traffic loadings.

The traffic analysis prepared as part of the Broadway Complex EIS does not address the incremental or cumulative impact of the project on freeway congestion. Information is presented with respect to projected traffic volume on some of the freeway ramps but the ramps examined are selective and do not represent those identified as the major problems in the CCTAP analysis. These potential impacts deserve focused technical attention.

The underlying question of whether traffic is <u>better</u> accommodated (less negative impacts) with office development in the traditional core area versus the extension of office development to the west, along Broadway is not addressed.

G-15

COMMENTS ON EIS SPECIFICS

Following are comments on specific sections of the EIS document

i. I <u>introduction</u> (Pg. 1-3 concerning the Memorandum of Understanding with the City of San Diego). The presentation implies that the City, through the Memorandum of Understanding, has made a commitment to support the Brossowey Complex development. While the precise nature of the City's commitment is subject to legal interpretation, the EIR should give recognition to the fact that the Memorandum indicates that it "is entered into

G-16

Page 6 - Comments on Boradway Complex EIR By Criag Adams

Commission and the City Council.

for the soil purpose of providing guidelines for the planning and preparation of documents including the proposed days looment agreement." (July 1, 1987 Memorandum of Understanding Between the City of San Diego and the U. S. G-16 Navy: Resolution Number R-268458) The City's formal position relative to the Broadway Complex proposal should be presented as clearly as possible; the conditional nature of the City's participation under the Memorandum should be highlighted in the EIS. 3.2 Alternatives (Pg. 3-5 concerning Residential Alternative). The option of developing the site for housing is G-17 summarily dismissed. The irade-offs of the potential benefits of housing development against those of hotel and office development and the Navy's financial objectives should be explicitly addressed. 3.2.1 Alternative A (Pg. 3-8 concerning FAR calculation) The floor area ratio (FAR) of 5.45 for the preferred alternative is apparently calculated based on the acrees shown on the Project Blocks illustration. Figure 3-3. This calculation seems to include the portion of the site which is planned to be dedicated for the G-18 extension of G street through the redeveloped property. If it has not already been, the area of the planned G Street dedication should be excluded from the calculation of the FAR. This procedure is consistent with the approach which is now used by the San Diego Planning Department in dealing with "superblocks" and will establish rapility with the City's plans for the surrounding area. 3.2.5 Alternative E (Pg. 3-23 concerning a new Newy office complex funded using traditional federal budget mechanisms) The alternative presented here is particularly constrained and uninspired. Certainly new Navy office facilities could be accommodated on the site while permitting uses other than surface parking. This proposed G-19 alternative would be clear conflict with City policy which discourages waterfront use of land for surface parking. And specifically, why is an new office building cited on 8 lock 3 when its location on either Blocks 1 or 2 would serve to free waterfront acresse for more directly waterfront-related use? 4.1.1 Land Use Compatibility (Pg. 4-12 concerning the land use Environmental Consequences of the Proposed Alternatives) The discussion here is limited to "compatibility" of land uses. No discussion is presented of the fact G-20 that the commitment of the very scarce waterfront land use to office, hotel and retail development would preclude its availability for other uses. 4.1.1 Land Use Compatibility (Pg. 4-12 concerning stepping down). The discussion highlights the proposal that the project design would provide a "step gown" of buildings to the weterfront within the project boundaries. It G-21 should be clear that this "step down" concept, which in the case of the aast-west dimension is within a single block, is at a different scale than the "stepped intensity and scale" concept discussed as part of the Centra City planning process. 4.1.5 City of San Diego Plans and Policies (Pg. 4-29 Concerning the CCPC Concept Plan). The EIS refers to the Concept Plan which was distributed in August, 1988. This occurrent has been superceded by the draft Preliminary Centra City San Diego Community Plan, dated February, 1990. It would be appropriate for the EIS to note that the G-22 To City Planning Committee has supported the Broadway Complex project as compatible with its work in

4.2.2 Transportation Environmental Consequences of the Proposed Afternatives (Pg. 4–53 concerning Long-

Loging a new Centre City Community Plan - and to note that the work of this group is advisory to the Planning

Page 7 - Comments on Boradway Complex EIR By Criag Adams

Term Readway Conditions) As indicated earlier, the EIS analysis falls to address the situation of the freeways in the vicinity of the Centre City and the freeway ramp situations where studies have prayiously identified potential problems. The conclusion on Pg. 4–54 that "(t)raffic projections at the four freeway interchanges serving the Centre City area indicate that there is adequate capacity to serve anticipated demand under the long-term scenario" seem inconsistent with the conclusions in the Centre City Transportation Action Program. The proposed Broadway Complex development is likely to contribute to the cumulative impact of planned office developments in the West Broadway area. Past analyses of the situation projected on the freeways and the freeway ramps suggests that it may not be possible to mitigate this congestion. A similar finding may be necessary in the case of the Broadway Complex project.

G-23

4.2.2 Transportation Environmental Consequences (Pg. 4-60 through 4-64 concerning Long Term Parking Conditions. The Parking Needs Assessment Indicates that a substantial portion of parking needs for the development is expected to be met by the application of a Transportation Demand Management (TDM) plan — in the case of office-related parking, 24% of the need is projected to be accommodated by a TDM plan. The information that is provided regarding the nature or provisions of the TDM plan is merely a list. Without more specific documentation, the evaluation reflect a "goal statement" and cannot be the basis for assessing possible impacts. These same concerns about the propable effectiveness of TDM extends to the discussion in 4.8.2 Air Quality Environmental Consequences, Pg. 4-172 which is also based on TDM assumptions.

G-24

4.3.1 Aesthetics and Viewshed - Affected Environment (Pg. 4-74 through 4-111) The EIS gives exceptionally therough treatment to a number of aesthetic and view considerations. However, it does not explore the potential impacts of the project on public views from along the waterfront Embarcadero, including from the 6 Street Mole, and from the Bay to the South and immediately to the West. This is an especially important consideration since planning policy identifies the waterfront as the City's "major open space, its park and playground". Part of the "waterfront experience" is the visual ability to relate the waters edge to the City's "core" and to other topographic features which give it a physical definition. My casual assessment suggests that views back to the City, especially from the 6 Street Mole will be negatively impacted by the development proposal. Also, the potential impacts of views from the water to the costal rim which defines the northwest edge of the Centre City area should also be evaluated.

G-25

4.5.1 Socioeconomics - Affected Environment (Pg. 4-139 concerning the Fiscal Impact Assessment) The use of per capita and per acre methodologies to calculate the operating public costs of servicing the project, while popular because of their simplicity, seem, at best, to be crude approximations. The area under evaluation has a relatively unique set of public service needs when compared with the City in general. At the least, the EIS should indicate a relatively low level of statistical confidence in the results of this work, particularly on the cost side of the equation.

G-26

4.5. I Sociosconomics - Affected Environment (Pg. 4-142 concerning net and cumulative fiscal impact) in a discussion with your offical reised a question concerning the accuracy of the net and cumulative fiscal impact statistics - specifically as related to the "business taxes" projections in the Williams & Kuebelback Technical Report (Table 16). The magnitude of the numbers seem inconsistent with present City-wide revenues in these categories and with the general scope of the planned development. I have not heard back on this issue. Although I share the EIS's conclusion that the fiscal affects of the proposed project are likely to be positive, it isn't all clear that these will provide a net benefit to the City — since this same level of development, with similar project-level

G-27

'age 8 - Comments on Boradway Complex EIR By Criag Adams

iscal benefits is likely to occur even in the absence of the proposed project.

hops these comments will be useful to the Nevy in its continuing work on the Brosoway Complex Project and that twill essist citizens and public officials in their discussions and evaluations of this important matter.

G-27

Respectfully

Craig Adems 293-3649

c. Office of the City Architect
Office of Councilman Bob Filner
Office of Councilman Ron Roberts

STATE LANDS COMMISSION

LEO T. McCARTHY, Lieutenant Governor GRAY DAVIS, Controller JESSE R. HUFF, Director of Finance



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File Ref.: G-10-07 G-10-08

W 24323

June 4, 1990

Officer in Charge
Western Division
Naval Facilities Engineering
Command Detachment
Broadway Complex
555 West Beach Street, Suite 101
San Diego, CA 92101-2937

ATTENTION: Captain Wayne Goodermote, CEC United States Navy

Dear Captain Goodermote:

Staff of the State Lands Commission has reviewed the Draft EIS (DEIS) for the proposed redevelopment of the Navy Broadway Complex. We have also reviewed a copy of the document which is represented as a Draft EIR (DEIR) circulated by the City of San Diego for this project. We do not understand why this format was chosen for a document of such import. In our view, the document should have been an EIR/EIS, one document which incorporates the requirements of the CEQA and the NEPA; such a format is specifically provided for within the State EIR Guidelines. As constituted, the documents and format are disjointed and confusing. Furthermore, we do not believe the incorporation of the DEIS into the DEIR conforms to the requirements of Section 15150 of the State EIR Guidelines which states, in part:

H-1

"(c) Where an EIR or Negative Deciaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described."

CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 2

For this and additional reasons which are discussed below, we contend that the document(s), as presently constituted and circulated, are wholly deficient and inadequate under the requirements and standards set forth in the CEQA, the NEPA, and related case law. Our comments, while referencing the DEIS, are equally applicable to the DEIR and should, therefore, be regarded as comments on said document.

H-2

GENERAL COMMENTS

(1) Our initial comments on this project as reflected in our December 22, 1988 letter to you in response to the NOI/NOP for this project have not been addressed in the DEIS. The State of California has claimed a potential reversionary interest by virtue of the Public Trust Docurine in the filled tidelands comprising the Project Trust Docurine in the filled tidelands comprising the Project The Navy has not resolved the issue of this claim.

Specifically, our comments indicate the problems associated with the title to the property vis-a-vis the nature of the title to the Public Trust lands conveyed to the United States for certain limited purposes; i.e., "public defense", "military purposes", and "piers, landing and structures to be used by the United States Navy Department for a supply base and for landing purposes."

H-3

The uses authorized for the State's property appear, as provided for in Alternatives A, B, C, D, E and F of the DEIS, to be in direct conflict with the uses proposed for the property. Other than the 1 million square feet of naval office space proposed for the area — the other proposed uses are non-military. Clearly, up to 1.4 million square feet of private office space, 1.44 million square feet of hotel, and 25,000 square feet of retail do not constitute military purposes.

(2) The DEIS, for various project alternatives (i.e. pg. 1-9), identifies the need for substantial offsetting "local government" financial contributions for certain public infrastructure improvements. The document fails to identify and detail the specifications of the necessary infrastructural improvements, the estimate of the cost, and the source of those "local government" financial contributions.

4-4

We are informed that the estimates of the Center City Development Corporation's Public Improvement Cost Allocation (dated 5/10/90) for the Site Improvement Cost of the Navy Broadway Complex Project (dated July 23, 1989) and to the project which is referenced in the Summary of Alternatives §1.22 (pg. 1-9) of the Draft EIS and elsewhere in the text and as incorporated by reference in the Draft EIR, total over \$25 million and provide over \$20 million in proposed expenditures by the San Diego Unified Port District.

CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 3

The SDUPD is limited in its ability to expend tidelands trust funds on property not owned or controlled by the Port. The Port does own some of the streets within the Navy Broadway Complex Project site; these, however, are presently under lease to the Navy. Any infrastructure, demolition, landscaping or similar costs associated with this project cannot be financed with tideland trust funds unless they are on Portowned or controlled lands. The Port may only expend tidelands trust funds on lands or projects if such expenditure provides some substantial and direct benefit to the tidelands trust under their control. The substantial sums identified for expenditure by the Port do not qualify under the above stated criteria.

⊢-∠

Further, because the DEIS identifies the need for local public funds for this proposed federal/private development, but fails to provide specificity as to costs and sources of funds, the social economic impacts and legality of those required expenditures are potentially significant, unresolved impacts.

H-5

(3) The mitigation measures within the DEIS can be characterized respectively as unspecific, prospective, nonexistent, or inappropriately characterized.

H-6

As an example, the mitigation for aesthetic impacts for specified alternatives, as listed on page 4-114, is indicated to be compliance with <u>draft</u> urban design guidelines as specified in Appendix D of the DEIS. Will these impacts still be mitigated if the guidelines are changed in any way?

As an additional example, on page 4-211, under Mitigation Measures, the DEIS states that the State SHPO "is consulting with the Navy on mitigation."

-1-7

On page 4-147, compliance with building codes is characterized as mitigation for geologic hazards in direct contradiction of the principle that compliance with existing law or regulations does not constitute mitigation.

Н-8

Lastly, mitigation measures are not analyzed, as required by the CEQA, for their effectiveness in reducing significant impacts to a level of insignificance. The document assumes effectiveness and asks that we accept its conclusions without any supporting evidence.

H-9

(4) On page 5-1, Cumulative Impacts, the DEIS states, "The Navy Broadway Complex is located in an area of San Diego that is undergoing substantial development....Cumulative impacts are generally regional impacts associated with several developments to which the project may contribute." Unfortunately, the discussion which follows and which precedes it in Section 4 is not consistent with such statements. The project is discussed only in relationship to itself or its own alternatives, not in relationship to related projects such as Seaport Village, the Hyan Hotel, among others.

LAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 4

(5) We believe the designation of Alternative A, the project, as the environmentally superior alternative is not supportable under the provisions of Section 15126(d)(2) of the State EIR Guidelines. Since Alternative A, "The Navy's preferred alternative" (page 1-4), is the project and "the no-action alternative, is the environmentally superior alternative," the correct interpretation of the above section dictates the designation of an environmentally superior alternative which is revealed as a result of the environmental analysis and which is separate and distinct from either "the project" or the "no-action alternative."

144

(6) We do not believe that each of the alternative configurations of the Navy's preferred alternative, the project, is discussed to the same level of detail as required by the NEPA. The document does not enable decision-makers to, without additional analyses, consider any of them in place of the project.

H-12

SPECIFIC COMMENTS

Pages 1-16-18, Section 1.4.1:

It would be helpful for reviewers if the responses to the NOI/NOP were included in the document as an appendix and the comments therein referenced to those portions of the document in which the response to each comment is located.

H-13

Page 1-91, Section 1.5:

This "summary table" does not contain a summary of minigation measures as stated. Furthermore, this section should contain a discussion of significance criteria used to rank the impacts discussed within the document.

H-14

Page 4-60, Long-Term Parking Conditions:

The entire issue of parking impacts related to the project appears unresolved and unmitigated. At page 4-60, the document states that "The City of San Diego has no minimum or maximum parking requirements for development in the Centre City area...The development of a parking management plan for the Centre City area is the primary objective of the ongoing Parking Management Study for the Centre City and Balboa Park areas" (emphasis added). The determination of impacts, their

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CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 5

significance and appropriate mitigation again appears to be a moving target. Even under this draumstance, the project would not provide sufficient parking, with attendant, speculative adverse impacts on existing parking. Furthermore, such impact is to be mitigated by a Long-Term Travel Demand Management (TDM) Program" which could include a number listed measures (see general comments on speculative nature of mitigation).

H-15

Page 4-61, "Uses": What is the demand rate for residential uses?

H-16

Page 4-108, Section 4.3.2:

The document states that, "The draft design guidelines are provided in Appendix D and are subject to minor refinement between the Navy and the City. Alternatives A, B, and the onsite component of Alternative D are all generally consistent with the draft guidelines. Alternatives C and F are partially consistent. Alternatives E and G are not consistent' (emphasis added). In spite of these statements, the conclusion reached on page 4-114 is that compliance with such guidelines would mitigate aesthetic impacts of the project and Alternatives B, C, D and F. This conclusion is: 1) unsupported, as are all other statements regarding mitigation (see general comment 3); and 2) at best dependent on a modifier "if the project and its alternatives are modified (needs to be described) and if the guidelines remain substantially unchanged."

H-17

Page 4-115, Section 4.4.1 Environmental Consequences:

What is the basis for the statement The existing police facilities, manpower, and available equipment are adequate to provide the project site and surrounding area with a sufficient level of police protection in cases of "emergency"? What is the definition of "sufficient"? What of everyday protection in comparison to "in cases of emergency"? Would the project site overtax police services, etc. when considered with other related area projects (see general comment 4)?

CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 6

Page 4-118, Mirigation Measures:

The documents states that the private development within the project has the potential to cause regional immigration. This is growth inducing impact which is not discussed in Section 5 (page 6-1).

H-19

Page 4-121, Environmental Consequences:

While the proposed project and alternatives "would not adversely affect existing water facilities," it is not clear, considering the state of the drought, that there will be sufficient water available to be put within the existing facilities for project needs. What effect will the project have, in conjunction with other projects, on water supply? Which other uses may have to be limited in order to supply the project, etc.?

H-20

Page 4-126:

Despite the statements in the first paragraph which depreciate the impacts of the project on the City's wastewater problem, the building of the project will still exacerbate the City's existing violation of water quality compliance standards. This is a significant adverse impact that must be addressed.

H-21

Page 4-126, Minigation Measures:

The "measures" listed are actually "impacts" caused by the project, i.e. facilities will need to be upgraded because of it. Further, these upgrades will only allow material to get to the plant; they will not mitigate for the increase load on the plant which presently, and for the foreseeable future, is in violation of compliance orders.

H-22

Page 4-126, Section 4.4.7:

Although the project, etc. would decrease the life expectancy of existing landfills (1995), the document concludes there are no significant impacts, presumedly because the City is in the process of identifying a replacement landfill site. This conclusion is unacceptable and does not tree the applicant from the requirement to either analyze other feasible alternatives or provide mitigation.

CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 7

Page 4-141 Section 453:

Does the first statement of this section consider required expenditures of either the City or the Port? What will be the level of adverse impacts to Port finances as a result of the project, etc., e.g. monies (sales, transient occupancy and property taxes) will accrue to the City, yet the City would have the Port pay the majority share of the costs of the necessary infrastructure and improvements?

H-24

Page 4-144, Section 4.6.1:

Does the available information indicate that the area soils are able to support the proposed facilities as designed, including underground parking? If so, what is the basis for such a conclusion; if not, what are the related adverse impacts on the parking issue - supply, etc.? Will perpetual de-watering of the site be required-impacts?

H-25

Paze 4-147, Mitigation Measures

We have already indicated our concern with the adequacy of the last statement in this section (see general comment 3). The effectiveness of the building codes to mitigate geologic hazards. particularly liquefaction in the instant case, must be examined in light of he recent experience of San Francisco's Marina District. If one presumes that the majority of buildings in that area were in compliance with that City's building code, the document's assumption provides little comfort.

H-26

Page 4-186. Section 4.9.3:

Why is not the design mitigation for hotels also being applied to onsite office structures? This would also seem important since the occupancy of such buildings would coincide more with the times of highest noise generating traffic.

H-27

Page 4-229, Section 4.122:

Although it is not specifically stated, one assumes that all required electrical power will be supplied by the existing grid. What will **州-28** be the cumulative impact on the grid from these additional uses and need of power?

Pages 6-1, 7-1:

Each of these sections should be revised in light of the comments herein

CAPTAIN WAYNE GOODERMOTE June 4, 1990 Page 8

In conclusion, based on the comments presented, we believe that both the process and document are deficient in their compliance with the CEQA and the NEPA and that substantial revisions are necessary. Should you have any questions regarding these comments, please contact Curtis Fossum, Senior Staff Counsel (916-322-7827) with regard to the State's claim and related matters and me (916-322-7827) with regard to environmental issues.

H-30

Sincerely,

DWIGHT E SANDERS, Chief

Division of Research and Planning

DES:maa

cc: Charles Warren, Executive Officer
James F. Trout, Assistant Executive Officer
Robert C. Hight, Chief Counsel
Curtis Fossum, Senior Staff Counsel
Jamee Jordan Patterson, Deputy Attorney General
Maureen A. Stapleton, Deputy City Manager, City of San Diego
Linda Fuller, Office of Planning and Research

Harry E Wilson 2120 M Callow Ave Bremerton, VA 98312-2908 June 1, 1990

Officer In Charge
Vestern Division Naval Facilities Engineering Command
Detachment
Broadway Complex
555 W Beach St
Suite 101
San Diego, CA 92101-2937

Dear Sir

Thank you for the opportunity to comment on the Draft Environmental Impact Statement for the Eavy Broadway Complex Project, San Diego, California.

I concur that Alternative A should be the preferred alternative.

On Figures 3-3, 4-7, and 4-62 the rail line to be retained should be shown to help prient the plan.

Fage 4-38, Public Transit/Transportation, more emphasis should be placed on use of mass transit. With all the parking spaces being provided, will it increase single occupancy vehicle use? I realize that some of the spaces are need for fleet (motor pool) vehicles in the Navy parking areas.

Page 4-116, section 4.4.2, Fire Protection, why is the time for the Navy Fire Department to travel 3.7 miles (6 minutes) almost the same for the City Fire Department to travel 0.5 miles (4-6 minutes)?

Page 4-126, section 4.4.7, Solid Waste, what percentage of the figures include recycling? Why is nothing mentioned about recycling to help out down on solid waste? What percent will be recycled by the Nevy?

Fage 4-131, Table 4.5-1, what is the correct number of employees for the service occupation?

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1-3

1-4

-5

Harry E Wilson June 1, 1990 Page 2 of 2

Page 4-134, section 4.5.2 and page 4-118, section 4.4.3, what the percentage of private development will be from private companies moving their offices from other San Diego locations vs new companies moving in from out of the area into the new complex?

a i

Page 4-146, effects on soil and erosion, what will be the effect of all the soil removed for underground parking, seeing that is will be located in the ground water table? Will leak proof trucks haul it or regular trucks? How wet is the soil? Where will the soil be disposed of?

j-8

Page 4-148, Groundwater, pare 2, it states that no long term increases in runoff would occur since the Navy Broadway Complex site is already fully developed with impervious surfaces. In block I their should be some decrease of runoff due to the open space (park). Depending on design of the hotels their should also be open space (lawns).

1-9

Page 4-220, how will it be determined where the dewatered groundwater goes during construction?

-10

When will the acise and air pollution during construction be considered?

]-4·

Thank you for your time and consideration.

Sincerely

Harry E Wilson

2120 N Callow Ave

Bremerton, VA 98312-2908

Hay Enilon

County of San Diego

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CHIEF ADMINISTRATIVE OFFICE

1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

June 1, 1990

Officer in Charge
Western Division Naval Facilities Engineering Command
Detachment
Broadway Complex
555 West Beech Street, Suite 101
San Diego, CA 92101-2937

ATTENTION: Captain Wayne Goodermote, CEC, USN

DRAFT ENVIRONMENTAL IMPACT STATEMENT: NAVY BROADWAY COMPLEX PROJECT

Dear Captain Goodermote:

We appreciate the opportunity to comment on the draft Environmental Impact Statement (EIS) for the Navy Broadway Complex project.

The County's concern as expressed in our initial comments regarding this project is that the use of off-site, peripheral parking should be utilized by the major water waterfront property owners including the Navy, the County and the Port District to minimize the need for waterfront parking.

The Parking Management Plan for the City of San Diego calls for the establishment of parking interceptor sites located on the periphery of Centra City. The use of such a peripheral structure could provide additional mitigation for traffic and parking impacts impacts generated by the Navy, Santa Fe and other large developments. In addition, it would help to reduce the Navy's parking ratio of 1.23 spaces per 1000 square feet of office space, to the 1.0 spaces per 1000 square feet recommended in the draft Centre City Community Plan.

J-1

J-2

appreciate the other measures, including a proposed transportation demand management (TDM) program, which the Navy has incorporated in the project as a means to reduce downtown congestion.

If you have any questions on our comments, please contact Rich Robinson, Director of the Office of Special Projects at 531-4348.

Sincerely,

chief Administrative Officer

NWH:br

SC-EIR.NUH



Citizens Coordinate for Century 3 1549 El Prado, Rm. 4 San Diego, CA 92101

Tei: (619) 232-7196

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June 4, 1990

Daniel Allen Wayne Buss Nico Calavita Susan A. Carter Tim Casseworth Judith Callins Charies Chareer Вгисе Валигали Emily Durtin Lou Fong-Jakai Monus Griffin Rob Hanmon James Hubbell Michael Impkins Elmer Keen Mariene Kobrak Carci Landeman Bob Leffler Appeirs Leira Marie Burke Lia

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Captain Wayne K. Goodermote, CEC, USN Western Division Naval Facilities Diamo Barrow Combs Engineering Command Detachment Broadway Complex 555 West Beech Street, Suite 101 San Diego, CA 92101-2937

> EIR/EIS Re:

Dear Captain Goodermote:

C3 is in receipt of the Draft Environmental Impact Report and Statement dated April, 1990 for the Navy Broadway Complex project in San Diego.

Our review of this material together with our participation in the Broadway Complex Coordinating Group has given us a Kathy M. Schwarz unique opportunity to evaluate the process taken in the development of planning alternatives. While we have been and remain in full support of the Navy's steps to involve Karen Scartwrough professional advisors and the general community in the creation of this project, we are not in agreement with the Navy's preferred alternative (Alternative A) and feel that the EIS has failed to address certain issues that are critical to evaluating the appropriateness of the site.

> It is C3's opinion that the City of San Diego may be viewed quite differently today compared with its status in 1983, when the Navy Broadway Complex was first considered. Its increase in population and recognition on an international scale has given the city strategic importance within the United States. As the city has matured, so has its downtown to where private redevelopment has a momentum of its own leaving open space and view corridors in relationship to the bayfront in a vulnerable position. In light of this change, C3 feels that the Navy should not proceed with its proposed public-private venture to the extent that over three million square feet is built on blocks one through four, We believe that funding the approximate one million square feet needed for new Navy office space through Military Construction (MILCON) appropriations is in the best interest of the taxpayer and that minimal privatization should be considered to compliment the site's primary use.

K-1

K-2

K-3

K-5

K-8

captain Goodermote June 4, 1990 Page 2

The fact that approximately 16 acres of under utilized federal land exists at the terminus of the central business district is very fortunate. In context to our nation's capital, this property presents a similar potential in architecture and landscape design that was available to L'Enfant when Washington, D.C. was first layed out beside the Potomac River. Its highest and best use will be obtained by retaining the open space resource and not giving it up for high intensity, income producing development that presents a financial risk to the public and draws demand away from other more suitably placed commercial projects that provide tax increment funds and developer fees to the city of San Diego.

The Environmental Impact Statement draws the conclusion that Alternative A will "maximize community objectives and provide for a number of beneficial uses." Unfortunately, it reaches this opinion without providing an economic feasibility study. Why, for instance, is a residential use not possible? Will—"he Port of San Diego require compensation in exchange for oviding park space? Moreover, what is the projected total audget for U.S. military construction through the year 2003—compared with the cost of erecting approximately one million square feet of building using the urban design guidelines for Centre City?

C3's basic concern is that the EIS is not objective enough. Ultimately, it should challenge more of the parameters and principles set down by the Navy. We are hopeful that this will follow. K-

C3 wishes to thank you for allowing us to comment on the proposed Broadway Complex.

Respectfully,

Frederick M. Marks, Chairman

Centre City Committee

FMM/lqs

cc: Pete Wilson
Bill Lowery
Abbe Wolfsheimer
H. Wes Pratt
Judy McCarty
Larry Monserrate
Ermest Hahn

Jim Bates
Brian Bilbray
Ron Roberts
Linda Bermhardt
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Maureen Stapleton
Don Nay

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State of California

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GOVERNORS OFFICE

OFFICE OF PLANNING AND RESEARCH

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Orge Deukmelian

(916) 323-7480

DATE:

June 4, 1990

TO:

U. S. Department of the Navy

Western Division

Naval Facilities Engineering Command

ATTN: Officer in Charge, Broadway Complex

555 West Beach Street, Suite 101

San Diego, CA 92101-2937

FRCM:

Office of Planning and Research

State Clearinghouse

RE:

Draft Environmental Impact Report/Statement for the Navy

Broadway Complex Project, San Diego County

(SCH 38110208)

As the designated California Single Point of Contact, pursuant to Executive Order 1,2372, the Office of Planning and Research transmits attached comments as the State Process Recommendation.

This recommendation is a consensus; no opposing comments have been received. Initiation of the "accommodate or explain" response by-your agency is, therefore, in effect.

Sincerely,

Robert P. Warthass

Director

Attachment

co: Applicant

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Resources Building 1416 Ninth Street 95314 (916) 445-5655 TDD (916) 024-0804

California Conservation Corps
Department of Sosting and Waterways
Department of Conservation
Department of Fish and Same
Department of Forestry
Department of Parts and Recreation
Department of Water Resources

GEORGE DEUKMEJIAN 000012 GOVERNOR OF CALIFORNIA



THE RESOURCES AGENCY OF CALIFORNIA SACRAMENTO, CALIFORNIA

Air Resources Board
California Coastel Commission
California Tahoe Conservancy
California Waste Menagement
Board
Colorado River Board
Energy Resources Conservation
And Development Commission
San Francisco Say Conservation
and Development Commission
State Casstal Conservancy
State Lands Division
State Recipmention Board

State Water Resources Control Board Regional Water Quality Control Soards

June 4, 1990

U. S. Department of the Navy Western Division

Naval Facilities Engineering Command

ATTN: Officer in Charge, Broadway Complex

555 West Beech Street, Suite 101

San Diego, CA 92101-2937

Dear Sir:

The State has reviewed the Draft Environmental Impact Report/ Statement for the Navy Broadway Complex Project, San Diego County, submitted through the Office of Planning and Research.

We coordinated review of this document with the California Coastal, State Lands Commissions, the Air Resources Board, the San Diego Regional Water Quality Control Boards, and the Departments of Fish and Game, Parks and Recreation, and Transportation.

The Department of Conservation has provided the attached comments for your consideration.

The State Lands Commission responded directly in correspondence dated June 4, 1990. After contacting the Officer in Charge, the California Coastal Commission states they will be commenting directly.

The San Diego Regional Water Quality Control Board states that they are currently working with the Navy on this project.

Thank you for providing an opportunity to review this project.

Sincerely,

Gordon F. Snow, Ph.D

Assistant Secretary for Resources

Attachment

cc: (See attached list.)

M-1

U. S. Department of the Navy -2-

June 4, 1990

cc: Office of Planning and Research 1400 Tenth Street

Sacramento, CA 95814 (SCH 88110208)

Tan Lalifornia

Memorandum

Dr. Gordon F. Show Assistant Secretary for Resources

Capt. Wayne Goodermote City of San Diego & U.S. Dept. of the Navy 555 West Beech Street, Suite 101 San Diego, CA 92101-2937

com : Department of Conservation-Office of the Director

Dete :

May 24, 1990

Subject:

Draft Environmental Impact Statement for the Navy Broadway Complex.

SCAR 88110208

The Department of Conservation's Division of Mines and Geology (DMG) has reviewed the Draft Environmental Impact Statement (EIS) for the Navy's Broadway Complex, located in the City of San Diego, California. This Draft EIS is intended to fulfill the requirement of both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The Draft EIS analyses the impacts from the redevelopment of approximately 15.6 acres in downtown San Diego, near the waterfront. The proposed redevelopment will include up to 1 million square feet of Navy administrative offices and 2.145 million square feet of mixed private office, commercial and retail uses. The following report was reviewed by DMG:

o Draft Environmental Impact Statement, Navy Broadway Complex Project. San Diego, California, April 1990, SCR# 88110208.

Based on our review of this report, we offer the following comments:

1. The Draft EIS has not adequately described the extent and the mitigative measures for the geologic and seismic hazards affecting the project. No geotechnical data is provided to demonstrate that sufficient analysis of the project's geologic or seismic setting has been performed to assess the potential for ground shaking, surface rupture, liquefaction, lateral spreading, inundation, or settlement from seismic events on nearby faults. The Draft EIS references a geotechnical study by Hirsch and Associates, 1988, but the report is not appended. Although the Draft EIS summarizes the results of the geotechnical study, no site-specific methods are given for mitigating the geologic and seismic hazards at the project site.

Therefore, sita-specific studies to determine the methods of mitigation for seismic or geologic hazards should be done as a part of the NEPA process, and should be included in the Final EIS. All technical data should be appended to the Final EIS.

Dr. Snow/Capt. Goodermote May 24, 1990 Page Two

2. No data is presented in the Draft EIS on the level of ground shaking expected at the project site. The project site is located adjacent to the Rose Canyon Fault. This Fault is considered active, having maximum credible earthquakes (MCE) of magnitude 7.0 (Weshousky, 1986; Anderson, et al, 1989). Earthquakes on other active faults, such as the Coronado Banks and Elsinore Faults, may also affect the project site. A recent evaluation indicates that the Coronado Banks Fault has a MCE of magnitude 7-3/4 (Anderson, et al, 1989).

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Therefore, additional data is needed on the potential impacts and proposed mitigation measures from ground shaking due to large earthquakes on nearby active faults. The Final EIS should provide estimates of potential strong ground motion at the site, surface rupture, liquefaction, seismic-induced settlement, and failure from shaking of dock facilities and retaining walls. Data on the expected ground motion parameters should include, peak ground acceleration, duration of strong shaking, and site period. Data to support the analysis should be included in the Final EIS. If methods of mitigation are needed, they should be developed for inclusion in the Final EIS so that they can be reviewed.

3. The Draft EIS does not adequately address the potential for liquefaction at the project site. The Draft EIS states only that the project site has a potential for liquefaction. The soils underlying the site apparently consist of hydraulic fill over bay mud, which typically have a moderate to high potential for liquefaction. No site-specific methods are given for mitigating liquefaction. The only mitigation given is the statement that the project site is at the same risk from liquefaction as the rest of San Diego Bay.

N = 3

Therefore, additional information should be developed on the potential for liquefaction, lateral spreading, seismic and differential settlement at the project. Site-specific geotechnical data is needed to properly evaluate the potential for liquefaction at the project site. In, particular, information on any soil intervals expected to liquefy and the areal extent of these liquefiable soils should be included in the Final EIS. Site-specific methods of mitigation should be proposed within the context of this new information.

4. The Draft EIS does not address the impacts to the project from inundation due to a tsunami or seithe. The San Diego City Seismic Safety Element indicates that the project site

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Dr. Snow/Capt. Goodermote May 24, 1990 Page Three

may lie within the inundation erea from a tsunami or seiche, and may also be impacted by strong currents. The Final EIS should address the potential impacts to the proposed project from a tsunami, seiche, and strong currents. Methods of mitigating should be addressed.

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If you have any questions regarding these comments, please contact Zoe McCrea, Division of Mines and Geology Environmental Review Officer, at (916) 322-2562.

Dennis J. O'Bryant

Denil. O'Bymt

Environmental Program Coordinator

DJO:KC:skk

Zoe McCrea, Division of Mines and Geology Kit Custis, Division of Mines and Geology

References:

Anderson, J.G., Rockwell, T.K., and Agnew, C., 1989, Past and Possible Future Earthquakes of Significance to the San Diego Region, Earthquake Spectra, vol. 5, no. 2, pgs. 299-335.

Wesnousky, S.G., 1986, Earthquakes, Quaternary Faults, and Seismic Hazard in California, Journal of Geophysical Research, vol. 91, no. B12, pgs. 12,587-12,631.

CALIFORNIA COASTAL COMMISSION

a31 HOWARD STREET, 4TH FLOOR SAN FRANCISCO, CA 94105-3973 (413) 543-8555 Heoring Impoired/TDD (415) 896-1825

June 8, 1990



Captain W. K. Goodermote Department of the Navy Naval Facilities Engineering Command Detachment Broadway Complex 555 W. Beech Street, Suite 101 San Diego, CA 92101-2937

RE: Comments on Draft Environmental Impact Statement (EIS) and draft consistency determination for the Broadway Complex Project, City of San Diego

Dear Captain Goodermote:

Thank you for submitting the Draft EIS and consistency determination for the Broadway Complex project in advance of the official submittal of the consistency determination for that project. We have reviewed both of those draft documents and are generally pleased with the the concept of developing the site for Navy uses provided that the project includes provisions for public use of the area. The Commission staff supports those alternatives (alternatives A and F) that include large open-space areas, because we believe that creating a shoreline park should be a high priority for developing this site. Even though all of the alternatives would improve public use of the site, the Commission staff has some concerns about the project's consistency with the California Coastal Management Program (CCMP).

PUBLIC TRUST

Neither the draft EIS nor the draft consistency determination discuss the relationship between the proposed project and the public trust. The proposed project would be located on historic tidelands. These tidelands may have a)public trust easement attached to them. This easement would require the land to be used to support only limited uses, such as navigation, commerce, or fishing. The Commission has adopted policy guidance for projects involving lands that may have a public trust easement attached to them. The Commission's Public Trust guidelines, adopted May 3, 1977, state that "development proposals that may involve present or historic tidelands, submerged lands, and public trust lands should be permitted only if consistent with the public trust." Therefore, in order for the Commission to evaluate the project's consistency with the CCMP, the status of the public trust easement on the Broadway Complex property must be resolved. If there is a public trust easement attached to the property, the Commission staff is concerned that the construction of commercial office space could be inconsistant with that easement. The Navy should coordinate with the State Lands Commission to resolve this issue.

RECREATIONAL RESOURCES

The proposed project is located adjacent to San Diego Bay. Section 30221 of the Coastal Act promotes recreational use of oceanfront land. That section

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PAGE 2 JUNE 8, 1990

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

In the draft consistency determination, the Navy concludes that Section 30221 of the Coastal Act does not apply because the property is not oceanfront land. The Commission staff disagrees with this conclusion. The project site is located 200 feet from the bay on historic tidelands. Only a road exists between the project site and the bay. In reviewing past projects, the Commission has not limited oceanfront land to areas immediately adjacent to the shoreline. Therefore, the Commission staff believes that the project site should be considered as oceanfront and the Navy must evaluate the project for consistency with Section 30221 of the Coastal Act.

The Commission staff believes that the project should be designed to improve lic use of the site by maximizing the amount of open space. Two of the grnatives considered in the EIS, alternatives A and F, include significant amount of open space. Even though the Commission staff recognizes that most of the alternatives would open up the site for public use, the construction of high rises on this site may conflict with the need to protect the property for recreational uses. However, the development of a large open-space area may mitigate the impact of development of the site for non-recreational uses. The staff would consider recommending that the Commission concur with a consistency determination that includes non-recreational development, if the Navy demonstrates that present and future demand for coastal recreation is already adequately provided for in the area or would be provided by the proposed recreational uses of the property.

Finally, on page 4-119 of the EIS, the Navy concludes that park facilities in the area would not be affected by the project, because it does not include any residential units. The Commission staff disagrees with this conclusion. Since the proposed project would replace an existing office building and warehouse with two high-rise office buildings and two high-rise hotels, the project would increase the number of people visiting this part of San Diego Bay. It is reasonable to assume that these people would use existing recreational facilities in the area during there visit. Thus, the project would place an additional burden on existing recreational facilities in the area.

COASTAL-DEPENDENT ACTIVITIES

tion 30255 of the Coastal Act identifies coastal-dependent and stal-related development as priority uses of oceanfront land. The section provides that:

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PAGE 3 JUNE 8, 1990

Coastal-dependent developments shall have priority over other developments on or near the shoraline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30101 provides that:

"Coastal-dependent development or use" means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Section 30101.3 provides that:

"Coastal-related development" means any use that is dependent on a coastal-dependent development or use.

The two alternatives considered in the consistency determination include the construction of two office buildings and two notels. Since the hotels are visitor-serving uses, they provide some recreational benefit. Thus, they may be considered a high priority use. However, the Commission staff is concerned that both the Naval and private office buildings are not coastal-dependent or coastal-related, and thus they may not be high priority uses for this property. In order for the Commission to find that these office buildings are consistent with the CCMP, the Navy must demonstrate that those uses are either coastal-dependent or coastal-related (see Sections 3010) and 30101.3 of the loastal Act for definitions of coastal-dependent and coastal-related ievelopments). Since it is unlikely that either of these buildings can be iefined as coastal-dependent, the Navy must demonstrate that both of these suildings are coastal-related. If the Mavy cannot demonstrate that those uses are coastal-related, the proposed uses may still be consistent with the loastal Act if the Navy can show that there are no appropriate coastallegendent or coastal-related uses for this property.

ILTERNATIVES

he Broadway Complex project has been designed to allow for the construction if Naval Office space at little or no cost to the Navy. In order to complish this goal, the Mavy would lease the property to a private developer a construct the two hotels, the private office building, and the Mavy office wilding. The economic return from the hotels and the private office building ould enable the developer to construct the Maval office building at little or o cost to the Mavy. This method of construction appears to encourage a ensity of development that is higher then necessary to support military ctivities. The Commission staff is concerned that this project may be a recedent for high density military/private development on urban waterfronts.

he Commission staff believes that the Wayy should consider reducing the ensity of the development in order to emphasize recreational uses in a manner

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PAGE 4 JUNE 8, 1990

that is consistent with surrounding development. The Navy should evaluate a scaled down alternative that includes some private development and a greater contribution of federal funds by the Navy. That alternative would still allow the Navy to have its office space at less than full cost and would improve recreational uses of the area.

If the range of alternatives is limited to those that have been identified in the draft EIS, then the Commission staff believes that the Mavy should give additional consideration to alternative F. The alternatives evaluated in the consistency determination are limited to alternative A, which includes 1.9 acres of open space, and alternative B, which includes 0.5 acre of open space. However, alternative F, as described in the EIS, includes 3.3 acres of open space. That alternative would allow for more open space by reducing the number of high-rises from four buildings to three. That alternative would maintain the same amount of square footage as alternative A because the height of the remaining buildings would be increased.

As described above, the Coastal Act encourages the maximum amount of public recreational use of the waterfront areas. Alternative f would create a large line park, and thus increase the amount of recreational opportunities possessed by the project. It appears that alternative f was not chosen as the preferred alternative, because the increased height of three remaining buildings would increase the visual impact of the project. The Commission staff believes that the Navy should reconsider that alternative because the increase in height and greater visual impact may be mitigated by the reduction in the number of buildings. In addition, that alternative does not include a building devoted entirely to commercial office use, and thus that alternative may have lass conflicts with the public trust easement and Sections 30221 and 30255 of the Coastal Act.

COST

As described above, the purpose of the two hotels and the private office space is to allow the construction of Naval office space at little or no cost to the Navy. In the coastal-dependent section of the Navy's consistency determination, the Navy argues that the private office space is consistent with that section of the CCMP because it is integral to the project's financial feasibility. In order for the Commission staff to evaluate this conclusion, the Navy needs to produce evidence to support that conclusion. The Navy should include, as part of the consistency determination, an economic analysis that discusses the following issues:

- Demonstrate that the two hotels and the private office space are necessary to fund the Mayy office space.
- 2. Can the Mavy contribute federal funds to reduce the intensity of development or eliminate the non-priority uses?
- 3. Will the project remain feasible if the private office building is not constructed?

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PAGE 5 JUNE 8. 1990

- 3. Will the project remain feasible if the private office building is not constructed?
- 4. Is there sufficient demand for the proposed private development in the San Diego area?
- 5. If the City of San Diego does not contribute money to the project, can the Navy still develop alternative A or F and consider the increase in cost as mitigation for intensity and non-priorty development issues?

ESTUARINE RESOURCES

On page 4-151 of the EIS, the Navy states that:

The project site contributes urban runoff to this area through storm water flows that exit the site via storm drains that empty into the bay. Although not conclusive, it can be assumed that runoff from the site does not substantially affect the marine habitat of San Diego Bay because the habitat value in this area is considered rich and diverse.

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If the estuarine habitat in the area is considered rich and diverse, why does the Navy assume that the urban runoff would not be significant? The Commission staff does not believe that the Navy should make this assumption. If the proposed project would increase urban runoff in a manner that significantly affects the estuarine habitat, then the Navy should mitigate that impact.

LOCAL COASTAL PROGRAM

The Local Coastal Program (LCP) for the City of San Diego has been incorporated into the CCMP. While Chapter 3 of the Coastal Act remains the substantive standard for evaluating federal projects, the LCP provides guidance for interpreting Chapter 3 policies in light of local circumstances. Therefore, the Navy's consistency determination should include an analysis of the project's consistency with the relevant portions of the LCP. The Commission staff is particularly concerned about the project's consistency with the transportation policies of the LCP. In its consistency determination, the Navy should include an analysis of the project's individual and cumulative traffic impacts and their consistency with the Centra Pity segment of the City of San Diego's LCP.

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Once again thank you for the opportunity to comment on the draft EIS and consistency determination for the proposed project. If you have any questions, please contact Jim Raives the Commission staff.

12

PETER M.

Executive Director

cc: Deborah Lee.

JRR/PMD 0001p 225 Broadway Suite 1100 San Diego. California 92101-5074 619/236-7101 Centre City
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0000014

June 13, 1990

Mr. Louis Misko
Director of Planning
Officer in Charge
BROADAY/NAVY COMPLEX
555 West Beech Street, #101
San Diego, CA 92101

Subject: Intersection Configurations - Pacific Highway

Dear Mr. Misko:

My understanding of the preferred configuration of the streets intersecting Pacific Highway, including "E", Broadway and "C" street as illustrated on page 4-67, is that no double left-hand turn movements from Pacific Highway onto intersecting streets have been recommended. Conversely, in the event that a full two block plaza is created at the terminus of Broadway, double left-turn lanes are recommended at the intersection of Broadway and "C" streets as illustrated on page 4-68.

With respect to northbound traffic on Pacific Highway, I recommend against a right-hand turn at the intersection of Broadway. I also question the need to provide a double left-hand turn from Broadway, southbound onto Pacific Highway.

These recommendations will negatively impact the design of off-site improvements adjoining the proposed development of the Santa Fe Center on the south side of Broadway and the future development of the Santa Fe Properties located on the north side of Broadway.

In addition, the implementation of right-of-way improvements at Broadway and Pacific Highway may be regarded as a standard for other intersections between Market and Grape streets. Which if followed, will reduce the quality of Pacific Highway as a landscaped boulevard.

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Louis Misko June 13, 1990 Page 2

For this reason, I am anxious that the circulation improvements balance the traffic needs of the City and adjoining development with the street as an important landscaped entrance to the City and waterfront area.

I would appreciate your response to my concerns in the review of the draft EIR for the Broadway Complex.

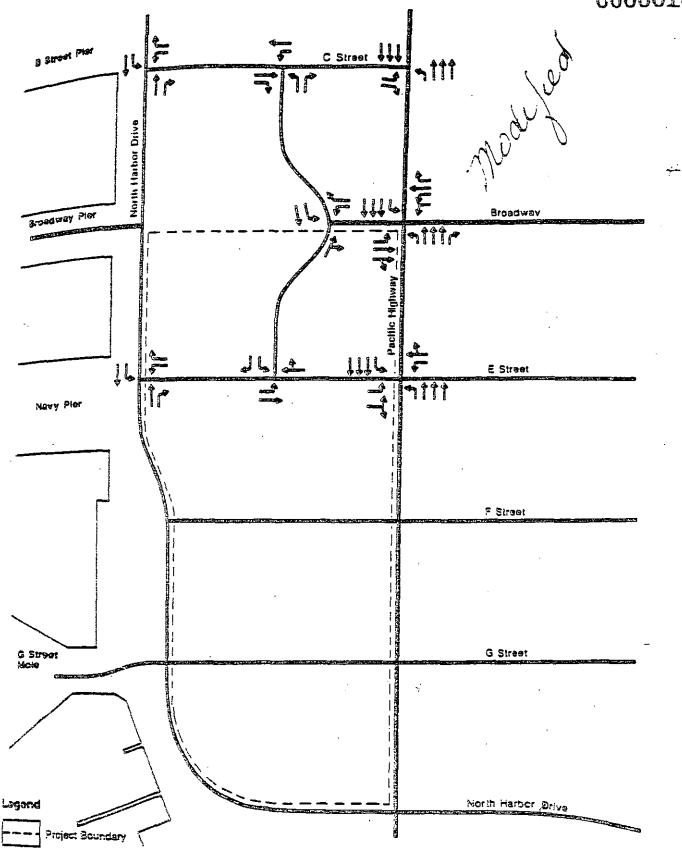
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MAX SCHMIDT ASSISTANT VICE PRESIDENT

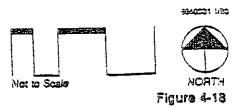
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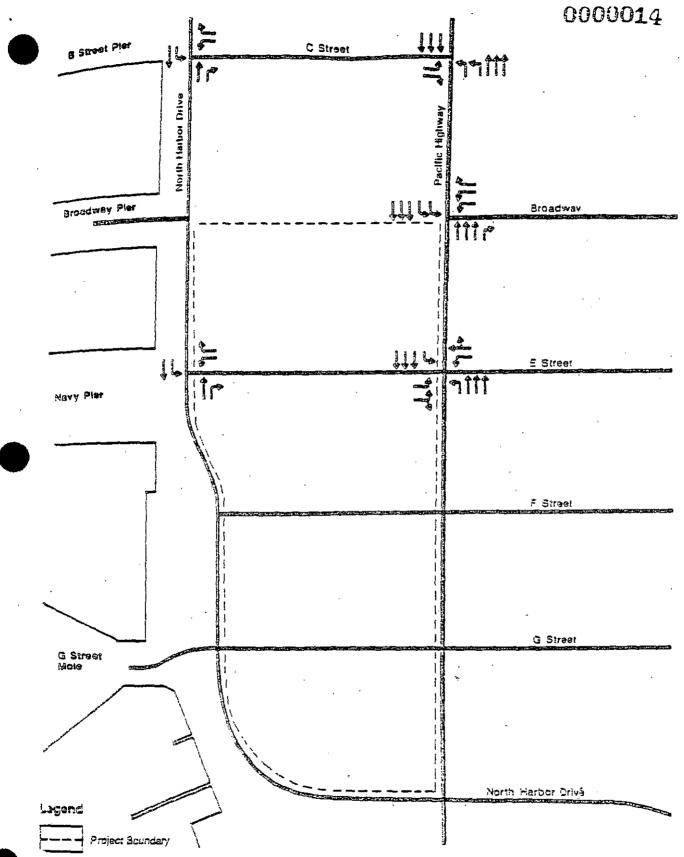
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cc: Mike Stepner Allan Holden



Future Intersection Configurations
Alternative A
Navy Broadway Complex Project





rulure Intersection Configurations Alternative F Navy Broadway Complex Project





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 9 1235 MISSION STREET SAN FRANCISCO, CA 94103

1 5 JUN 1990

Captain W. K. Goodermote, CSC, USN
Office in Charge - Navy Broadway Project
Western Division
Naval Facilities Engineering Command Detachment
Broadway Complex
955 W. Beech Street - Suite 101
San Diego, CA 91101-2937

Dear Captain Goodermots:

The U.S. Environmental Protection Agency (EPA) has reviewed the Traft Environmental Impact Statement (DEIS) titled NAVY BROADWAY COMPLEX PROJECT, City and County of San Diego, California. The Lity of San Diego has issued a Draft Environmental Impact Report (DEIR) which incorporates by reference the Mavy's Broadway DEIS. For comments on the DEIS/DEIR are provided pursuant to the Cational Environmental Policy Act, Section 309 of the Clean Air ct, and the Council on Environmental Quality's Regulations for implementing MEPA (40 CFR 1500-1508).

he proposed Broadway project would centralize and consolidate he Navy's administrative activities for the San Diego region at new facility on approximately 15.6 acres in downtown San Diego ear the waterfront. The site is proposed for redevelopment hrough a public/private partnership. The Navy requires pproximately one million square feet of office space. dditional multi-use private development (hotel, office, retail) nsite would be included to offset the cost of the Navy-occupied ite, thereby reducing the cost to the taxpayer. The Navy and he City of San Diego intend to conclude a development agreement a the mechanism for approval and control of the site's development.

a have rated this DETS as Category EC-1, Environmental processes - Adequate (please see Enclosure 1, "Summary of Rating afinitions and Follow-up Actions"). We encourage the adoption f water conservation and solid waste recycling measures and assures to protect air quality. We also request that the final sufficiental Impact Statement (FETS) contain additional information and mitigation measures on several project features requited under the harmouse Conservation and Recovery Act (RCRA), as sended by the 1984 RCRA amendments; the Comprehensive Environ

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mental Response, Compensation and Liability Act (CERCLA), as amended in 1986; and the Toxic Substances Control Act (TSCA). Detailed comments are provided in Enclosure 2.

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We appreciate the opportunity to comment on this DEIS. Please send us three copies of the FEIS when it is officially filed with the EPA's Washington, D.C. office. If you have any questions, please call me at 415-556-6383 or have your staff contact Mr. David Tomsovic at 415-556-5098.

Sincere!

Deanna M. Wieman, Director Office of External Affairs

Enclosures: 2 (EIS comments; EIS rating sheet)

cc: San Diego Air Pollution Control District Regional Water Quality Control Board City of San Diego Planning Department

10-lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor charges to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. ERA would like to work with the lead agency to reduce these impacts.

ED-Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitwie that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

FPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EMA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are cutside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a regnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is mequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

"From: EPA Manua. 1940, "Policy and Procedures for the Review of Federal Actions Impacting the Environment." Adopted by EPA, Oct. 1984

EPA to Navy, Broadway Complex Project, City and County of San Diego, California - Draft Environmental Impact Statement (DEIS). losure 2. June 1990.

GENERAL COMMENTS - WATER CONSERVATION

1 5 JUN 1990

The DEIS states that "None of the alternatives would significantly affect the ability of the City to provide water service; therefore, no mitigation measures are necessary" (DEIS, page 4-121). We urge the Navy and the City of San Diego to use this opportunity to develop a facility that is a model for water conservation. We recommend you consider adopting a broad range of mitigation measures to reduce the amount of water which the proposed project would consume, especially for its operational phase. Examples of water conservation measures include:

- * installation of water-saving shower heads or flow restrictors in the hotel rooms,
- * installation of water conservation features on toilets,
- * periodic checks for leaks in pipes, hoses, faucets and couplings,
- * planting drought-resistant trees and plants for landscaping features.
- * use of efficient sprinklers or drip systems rather than hand watering of lawns, trees and plants,
- * use of "gray water" to water lawns, plants and shrubs, and
- * watering vegetation after dusk or before sunrise to reduce poration, especially during hot months.

AIR OUALITY - CLEAN AIR ACT

As the DEIS notes, the San Diego Air Basin is designated as a nonattainment area for several pollutants. "The western half of the Basin is designated as nonattainment of state and national carbon monoxide standards and state nitrogen dioxide standards" (DEIS, page 4-156). Because of this, the Navy and the City should undertake every feasible effort to ensure that proposed project activities do not result in further deterioration of air quality in the air basin under both the Federal and State Clean Air Acts.

We support the adoption of the two mitigation measures to reduce the project's air quality impacts: fugitive dust control during construction and long-term air emissions reduction through a Travel Demand Management (TDM) program (DEIS, pages 4-172 and 4-173). We encourage the Navy and the City to commit to adoption of all the TDM elements identified in the DEIS, including "improved transit use through better service and accessibility, increased ridesharing through provision of reserved carpool spaces, and development of shared parking through a mix of land uses" (DEIS, page 4-61). We encourage the Navy and the City to work closely with the San Diego Air Pollution Control District for the life of the project (construction/operation) to ensure it does not contribute to deterioration of San Diego's air quality.

Q-3

Q-2

FAZARDOUS SUBSTANCES - COMPREHENSIVE ENVIRONMENTAL RESPONSE.

COMPENSATION AND LIABILITY ACT. AS AMENDED BY SUPERFUND AMENDMENTS AND REAUTEORIZATION ACT (CERCLA/SARA)

1 5 JUN 1990

EPA's December 1988 scoping letter to the Navy requested that the DEIS identify potential toxics contamination and contain toxics mitigation. We appreciate the chapter that discusses potential toxics contamination and the mitigation which the Navy will adopt to reduce/eliminate impacts to public health and the environment. We request that the toxics mitigation identified in the DEIS be adopted in full by the Navy in its FEIS and Record of Decision.

It appears likely from several statements that CERCIA hazardous substances, pollutants or contaminants are present ensite. Examples include the "cily surface spill" outside Building 106; "high acidity" due to sulfuric acid previously stored in Building 106; and "higher than normal levels of some priority pollutant metals" in soil samples (DEIS, pages 4-214 and 4-215). The FEIS should clarify whether any such materials are present. If they are present, the selection of a remedy by the Navy would need to follow the process set forth in CERCIA and the National Contingency Plan (NCP), including a remedial investigation to determine the extent of CERCIA hazardous substances contamination, a risk assessment and an ecological assessment.

We agree with the conclusion in the DETS that several areas require more investigation to determine the extent of toxics contamination and to identify appropriate remedial work (DETS, page 4-216). At least four areas have been identified:

- * a source of black, hydrocarbon-discolored soil encountered in three hand-augured borings near Building 7,
- * a former hazardous waste storage area located in Building 8,
- * soil around the forklift area, and
- * oil with lighting ballasts and transformers with potential PCB concentrations. If high concentrations are found, remediation would be recommended to reduce future ensite soils contamination (page 4-216).

We request that the Navy closely coordinate its Broadway developments with the California Department of Health Services, the Regional Water Quality Control Board and local health and environmental agencies to ensure that the proposed project is not in conflict with Federal or State environmental restoration requirements.

RESCURCE CONSERVATION AND RECOVERY ACT - RCPA

1. Hazardous Nasta Volume. We were unable to find any discussion concerning the types and quantities of hazardous materials or hazardous waste as defined under the Federal RCRA and/or State of California law, which the Broadway Project may use or generate. The project's construction may generate a variety of hazardous wastes (a.g., ignitable paint wastes and spent solvents). Hazardous wastes may be generated during the project's operational phase from botal lawndromat/dry cleaning

Q-5

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operations and other actions such as landscaping operations (pesticides). We request that the FEIS identify the types and mated quantities of hazardous waste which may be generated ing construction and operation.

Q-7

2. <u>Hazardous Waste Minimization</u>. We encourage the Navy and the City to make hazardous waste minimization, as required by the 1984 RCRA amendments, an integral component of the Broadway Project in both construction and operation. Hazardous waste minimization should be included as a mitigation measure in the FEIS and ROD.

Q-8

Recycling. The DEIS states that, "As no significant impacts to solid waste would result from any of the alternatives, no mitigation measures are necessary" (page 4-128). EPA is very concerned with the nation's solid waste problem, including the problems associated with siting new sanitary landfills and/or permitting alternatives such as incinerators. Recycling reduces the need for raw materials and helps to conserve natural resources. It helps to minimize landfill use and extend the expected life of existing sanitary landfills. We thus encourage the Navy and the City to vigorously pursue a program to recycle solid wastes, especially paper, glass, plastics and aluminum cans. We recommend that a solid waste recycling program be included as a mitigation measure in the FEIS and ROD.

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.. Solid Waste Management Units (SWMUs)/Corrective Action.

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FIS should discuss whether any RCRA SWMUs are located maite. Various sources of contamination may constitute RCRA WMUs (e.g., Building & hazardous waste storage area, the lorklift/drum storage area, contaminated soil near Building 7). If the Navy determines that RCRA SWMUs are onsite, the FEIS hould discuss whether the proposed project could affect RCRA corrective actions onsite or at adjacent areas.

OXIC SUBSTANCES CONTROL ACT - TSCA

he DEIS (page 4-222) notes that fluids in transformers and other lectrical units will be tested by the Navy prior to construction o determine if the fluids contain PCBs. If PCBs are found, the avy will dispose of the fluids and the units at an approved aste disposal facility. We request that the FEIS address the CB spill cleanup policy requirements under 40 CFR 761.120 of the CB regulations, developed under authority of the TSCA. The FEIS hould note that the removal and disposal of PCB-contaminated aterials is governed under the TSCA.

Q-11

1	DEPARTMENT OF THE NAVY
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5	In Re:
6	NAVY BROADWAY COMPLEX PROJECT)
7	DRAFT ENVIRONMENTAL IMPACT STATEMENT)
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11	San Diego City Administration Building
12	12th Floor Committee Room 202 "C" Street
13	San Diego, California 92101
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20	Wednesday,
21	May 16, 1990 7:00 p.m.
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PANEL MEMBERS
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   Officer in Charge, Western Division
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   W.M. ROBINSON, JR.
   Executive Director
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ATTENDEES:

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1	ATTENDEES: (cont'd.)
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Note: Provided below is public testimony commenting on the Draft EIS. 22

The Navy's presentation of the project elements, pages 5 through 21 of this transcript, repeats the contents of the Draft EIS, so is not included here.

Our first speaker will be Colleen Cronin.

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PRESENTATION BY MS. COLLEEN CRONIN

NATIONAL SAFETY ASSOCIATES

MS. CRONIN: Good evening ladies and gentlemen, my name is Colleen Cronin; I'm a sales coordinator with a company called National Safety Associates. We're located at 7710 Balboa, Suite 216E, San Diego, California 92111.

Our primary focus is environmental products, specifically water and air filtration systems. As you are probably aware, there is a growing concern about the quality of our indoor air.

We offer a solution to this problem. We have an air unit which removes 95 percent of these indoor contaminants down to 0.1 microns.

HA-1

This includes smoke, pollen, dust, spores, gases, odors, about half of all known viruses and all bacteria.

Areas of application might be rooms with blueprint machines, computer rooms, lounges, poorly ventilated rooms, and areas with high concentrations of employees.

Our units are very energy efficient costing only pennies a day to operate. Most importantly, our units have an unprecedented three year warranty.

If used properly, these filters should greatly reduce your employee absentaeism due to illnesses contacted at the

work place, better known as, sick building syndrome.

We also offer a variety of water filtration systems designed to remove chlorine and chlorine compounds. Our units consist of a granular activated carbon filter which is impregnated with silver to prevent bacteria from growing within the unit.

Approximately one third of all Californians are drinking bottled water and are paying anywhere from 25 cents to \$1.50 per galion. We offer bottle quality water for only three cents a gallon,

One of our newest editions is our bottle less water cooler; it has a lease-to-own option, which most companies HA-1 do not offer. At the end of three years, based on the 14 | number of coolers needed, you could literally save thousands of dollars in this area alone.

Additional hidden costs with other companies include bottle storage, loss of employee time to change bottles, and interruptions from bottle delivery. Our system alleviates these problems.

I want to thank you for the opportunity to present our products to you, and we look forward to working with you. Thank you.

CAPT, GOODERMOTE: Thank you vary much. Mr. Hood.

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PRESENTATION BY MR, DON WOOD C-3 AND THE BAYFRONT COALITION

MR. WOOD: My name is Don Wood; we've been working together for I don't know how many years now on this, here at the original public charrettes that the Navy held when Bruce Boland was the Admiral.

We've been involved in the waterfront for a long time; C-3 is represented on the Broadway Complex Coordinating Group, and also has representation on the Center City Planning Committee.

We're going to be providing written comments, but I thought I want to get a few onto the record, especially if this turns out to be the only public hearing associated with the EIR.

We applaud the Navy for an active effort to involve the community, get community input, and provide public review of this project. I'm sorry we don't have more people down here tonight. It's certainly a breath of fresh air compared to the Navy Hospital fiasco in Balboa Park. I think its been a mere opposite to that, and I want to thank Wayne and a lot of his staff for that behavior.

We applied that the proposals having to do with opening of the east to west streets through the site. waterfront; E, F and G Streets.

We think that's very positive and we certainly support

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the park proposal to put Broadway included in I believe alternative F.

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We have some concerns I'd like to see addressed in the final EIR. We support what you're trying to do so far.

We're still wrestling with, how does this project set a precedent for the land between Pacific Highway and Harbor Drive.

How do we support this proposal, and some of the heights proposed on some of the buildings here, and yet then refuse to support or oppose Port projects being proposed on sites on tidelands property north of Broadway.

We're trying to set up some equity and we're realizing this is a precedent, and so we want to work with the Navy and other interested parties to try and get some clear agreement on how this is going to be, especially since the Port has not agreed to abide by the BCCG proposals, or the design standards.

What is the potential impacts on the site related to the recently reported in the paper the Mission Bay fault, which runs down runway 31 at Lindbergh Field, through it looks like the Solar site, the County Administration Center and the Santa Fe site.

Does that fault run under or near this site? What are the potential impacts of an earthquake along the fault? What would the impact on this site be? What steps are being

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HB-3

taken to identify those potential impacts due to the potential earthquake? What mitigations propose to avoid or lessen these impacts?

HB-3

Third point I'd like to make is how this project relates to Pacific Highway. We've seen a lot of photos, or a lot of overheads of the building from the west. I'd like to see a schematic or an illustration, or a concept drawing showing the east side front of the project, and trying, if this is possible, to relate it to projects on the west side of the Pacific Highway.

HB-4

And I realize that the Navy doesn't have a crystal ball about what CCDC and the City is going to allow on the east side. We would like to see how this complex relates to what is conceptually a major public promenade running along Pacific Highway north and south, and how the east side of the project relates to that.

HB-5

And those are the three concerns we have at this point, other concerns will be brought up in our written comments. And we thank you for your time and your cooperation and help on the project.

CAFT. GOODERMOTE: Thank you. I appreciate your cooperation and support, and your patience in working with us.

One comment on your comment, if I may. Really I think that the purpose of that four year process with the Broadway

Complex Coordinating Group under SANDAG was to really work out the interface of our project with surrounding projects.

And really I think that was the intent in the plan that came out in the form of the Central Bayfront Design Guidelines, that came forth on the 22nd of September of last year.

Thank you very much. Anybody else that has any comments?

Well, this concludes the public hearing on the Draft Environmental Impact Statement for the Navy Broadway Complex project. I thank each of you for attending this evening. I know it's somewhat of a hardship to come out at this hour of night, but I do appreciate your attendance very much.

Thank you and have a good evening.

(Whereupon, at 7:35 p.m., the above-entitled matter was concluded.):

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SECTION 3

RESPONSES TO COMMENTS

In accordance with both the NEPA and the CEQA, responses are provided to each substantive comment raised on the contents of the DEIS (and, by reference, the DEIR). Responses need not be provided to comments that strictly state the opinion of the commentator on the merits of the project or to comments that do not address the specific contents of the DEIS.

3.1 TOPICAL RESPONSES

A number of issues were raised by several commentators. Provided herein are responses to those comments. Wherever the subject is raised by an individual commentator, the response is referenced to the appropriate topical response. Topical responses, are identified as "TR", followed by the appropriate number.

TR-1: Military Construction Financing and Design Constraints

A number of comments were raised on the military construction alternative (DEIS Alternative E) focusing on two primary issues:

- 1. Why is the project not being constructed with traditional Congressionally appropriated military construction funding?
- 2. Why can't the military construction alternative concentrate the development on one or two blocks and allow the rest of the site to be developed with other community uses?

Military Construction Funding

In 1987, the United States Congress passed Public Law 99-661 (see Appendix A of the DEIS). By passing this legislation, Congress established the objective of obtaining Navy office space at the Navy Broadway Complex and to do so utilizing the value of the Navy land through a public/private venture. The current five-year defense program contains no project to accomplish the consolidation or co-location of Navy administrative facilities in the San Diego area by military construction. In view of current federal budget reductions and the likelihood of even more severe constraints in the future, Congress has acknowledged that direct funding is not available for this project by authorizing the project through a public/private venture.

The Navy Broadway Complex is not "surplus" property. Retention of the Navy Broadway Complex site reflects a national defense requirement to maintain a mobilization capability directly adjacent the Navy Pier, which has a direct rail connection. During periods of national emergency, the mobilization and demobilization of supplies, heavy equipment and weapons platforms with accompanying personnel becomes a critical factor. The hotel, commercial office, and open space envisioned for the redevelopment of the Navy Broadway Complex could be used to augment Navy—ace during these periods. These complementary uses provide convertible space adjacent to the r, which will remain as a strategic location for staging of support personnel and equipment with the key rail/waterfront linkage.

Military Construction Alternative Design

Even though military construction (MILCON) funding of the project is not available, the alternative of MILCON funding was considered in the DEIS (as Alternative E) to provide decision-makers one measure by which to compare the impacts of the project. P.L. 99-561 requires that the public/private venture development be more advantageous, i.e. less costly, to the United States than the most economical military construction. As such, Alternative E accurately reflects the standard of development achievable if appropriated funds were available for use.

Buildings 1 and 12, the two largest buildings currently located on the Navy Broadway Complex, are retained and rehabilitated in this alternative to provide the maximum feasible square footage. This would leave an unmet need for 148,000 square feet of office to reach the necessary 1 million square feet. Thus, an additional office building would be developed. As shown on DEIS Figure 3-13, these three buildings would use approximately 1/2 of three blocks each, or approximately 5.2 acres of the 15.6-acre site. This would leave 10.4 acres for parking and other uses.

One million square feet of office would create a need for 1,230 parking spaces (at 1.23 spaces per 1,000 square feet of Navy office). Using NAVFAC Manual P-80 "Facility Planning Criteria for Navy and Marine Corps Shore Installations" (October 1982), a "multilevel parking garage may be planned...only where justified by land restrictions and economic considerations. Allow (360 square feet) for each passenger vehicle." Using these standards, 10.2 aces would be required to provide surface parking onsite. With 10.4 acres not dedicated to building uses, there would be sufficient area to provide necessary surface parking on Federal property. As there would be no land restrictions or other economic factors (cost) inhibiting surface parking, a multi-level parking garage would not be justified. Virtually the entire site would therefore be devoted to buildings and surface parking.

TR-2: Project Economics/Financing

As discussed in topical response TR-1, funding for the project is not included within the five year defense program, and, given current and likely future federal budget reductions, Congress (with the passage of Public Law 99-661) has acknowledged that the only funding source available for this project is a public/private venture. The public/private venture concept requires that development of the Navy Broadway Complex include compatible private land uses sufficient to offset the cost of development of the necessary Navy office space. The process of formulating alternatives for the type and intensity of development on the site, therefore, integrated consideration of compatibility with surrounding development, specific environmental issues and the financial feasibility of potential alternatives.

To evaluate the economic requirements of the public/private venture, the Navy engaged the firm of Williams Kuebelbeck & Associates (WK&A) to make an independent financial feasibility analysis. A market assessment was performed to determine the potential types of uses which could be developed on the site without adversely affecting the absorption of similar development planned in the Centre City San Diego. The marketable development program was refined from a City planning perspective, considering urban design guidelines, massing, viewsheds, access and traffic, and significantly reduced in total scope. The reduced density was further analyzed on a financial pro forma basis to determine the overall return from the commercial land uses and the residual cash flow and present value attributable to the long term ground lease provided to the developer by the Navy. The financial analysis tested these cash flows and values against the estimated construction cost of Navy office space and the value of the leased land. The financial

confirmed the amount of development and mix of uses, including commercial office, necessary to feasibly implement the Navy's objectives in a manner consistent with Congressional authorization.

The enabling federal legislation mandates the selection of the developer for the redevelopment through a competitive process. The financial analysis performed by WK&A forms the basis of the government estimate to be used in the evaluation of competitive proposals submitted for award of the redevelopment. The WK&A study is therefore proprietary solicitation information which, in accordance with federal procurement regulations, cannot be published in order to protect the integrity and competitiveness of the selection process. The selected developer, the WK&A financial feasibility study, and the actual financial proposal from the developer are subject to review by the Congress, prior to award, in accordance with the authorizing legislation.

Alternative B meets many of the community planning objectives in terms of density, massing, urban design, and viewsheds and includes open space. The City of San Diego, however, desires a larger public open space at Broadway than would be provided by Alternative B. This larger area could be combined with adjacent lands owned by the Port District to create the significant open space envisioned in the Central Bayfront Design Principles and incorporated into the Preliminary Centre City Plan and Interim Development and Design Ordinance. The City has proposed that the Port District cooperate in making this additional land available and in the improvement of the open space. The estimated current cost of the open space improvements including road realignments and existing building demolition is approximately \$7.1 million.

Port District has not agreed to make available the land or fund any of these improvements. ... wever, on December 5, 1989, the Board of Commissioners of the Port District adopted a Memorandum of Understanding (MOU) with the City which provides:

"Port and City agree to cooperate in design of improvements and identification of resources needed to develop the significant public plaza area at the foot of Broadway.

The parties to this Memorandum agree that it is a common objective to create a significant public plaza at the foot of Broadway. The public plaza should consist of lands made available by the Navy, by the Port, and reduction in the width of Harbor Drive and closing of Broadway (subject to appropriate studies and required public hearing).

Port and City recognize that Navy may require assistance to compensate for loss of Building 1 area as a contribution to the public plaza. Port and City agree to cooperate in negotiations with Navy to identify acceptable assistance to offset this loss."

In order to obtain this larger open space, as shown in Alternative A, the City has undertaken the identification of funds for infrastructure (road and landscaping) improvements associated with the Navy Broadway Complex Project to offset the reduction in density and commensurate revenue loss. The current estimated cost of improvements to Pacific Highway, Harbor Drive, and the E, F, and G Street rights-of-way is \$8.1 million. This is additional to the open space improvement costs described above.

Navy Broadway Complex now generates no property or other taxes for the City. The property tax increment derived from the private portion of the redevelopment will more than offset the total cost of both the open space and infrastructure improvements as reflected in the

fiscal analysis (see DEIS pages 4-141 and 4-142, as revised by response to comment G-27). In accordance with California redevelopment laws, the property tax increment from the project is available to the Redevelopment Agency of the City of San Diego for expenditure in connection with projects of this type. The staff of Centre City Development Corporation (CCDC) (an advisory body to the Redevelopment Agency) has suggested that the Port District participate in the improvements to Harbor Drive and E, F, and G Streets because the Port District owns land underlying Harbor Drive, E, and F Streets and because of the favorable impact of the opening of these streets on adjoining Port District waterfront properties, especially the G Street Mole. The Port District has not agreed to such participation.

TR-3: Parking Supply and Transportation Demand Management (TDM)

The provision of on-site parking for the Navy Broadway Complex was addressed in the DEIS (Section 4.2) and in the supporting Transportation Study for the Navy Broadway Complex. The analysis of current parking demand in the surrounding blocks used an industry standard indicating facilities are effectively at capacity at 90 percent occupancy levels. Off-street lots and structures within 15 minutes' walking time from the project site average 74 percent occupancy, while on-street spaces average 83 percent occupancy. The study acknowledges that one of the largest off-street public parking lot facilities in this area, adjacent to the Santa Fe Station, will be removed upon its development in 1992. Therefore the long-term parking conditions scenario (at build-out) focuses on provision of an adequate on-site supply and accommodation of a portion of demand in alternative transportation modes.

Standard estimation techniques were used to forecast parking demand for the project. The parking demand totals, without TDM, were based on demand rates that do not consider the increased use of alternative transportation modes (transit, carpooling, shared parking, etc.) that occurs in urbanized downtown areas. The parking supply rates for the project were based on surveys conducted by Wilbur Smith and Associates for typical supply levels provided in recent Centre City projects.

Table 14 of the Transportation Study addresses the proportion of on-site demand that is projected to be satisfied by on-site parking, and by diversion of single-occupant auto trips to other modes. Without a TDM program, Alternative A, provides that 80 percent of parking demand will be accommodated onsite assuming a 15 percent transit mode share; 20 percent of spaces would be provided offsite. The transit share is a reasonable assumption given that the current average proportion of employees in the Centre City who take transit to work is 15 percent, according to surveys by Commuter Computer, San Diego. This may be a conservative estimate for the project given the availability of two LRT lines in the vicinity of the project.

The addition of a TDM program to the seven project alternatives provides a scenario where the full parking needs of the project are provided onsite, based on the diversion of a proportion of trips by alternative modes. For Alternative A, 24 percent of office workers were projected to commute by alternative modes. For hotel workers and retail workers, 15 percent of demand would be diverted due to alternative mode use. This is also a reasonable assumption of the proportion of employee trips that would be diverted to alternative modes based on current travel patterns. According to Commuter Computer, approximately 24 percent of all Centre City employees carpool or arrive by alternative modes. An additional 15 percent take transit. Since office workplaces are among the easiest to implement ridesharing programs, the full existing percentage was used to estimate project ridesharing for office. Much lower percentages were assumed for hotel and retail, reflecting the nature of these workplaces.

Statewide experience shows that federal, state, and local employees achieved ridesharing rates of 30 percent or more. For example, survey data for County of San Diego Courthouse employees show that less than half drive alone (48 percent); more than half rideshare or take transit, and the transit ridership is very high at 39 percent. The above data is consistent with rates seen statewide and summarized in the Metropolitan Transportation Commission's "Commute Alternatives Program Evaluation" study (January 1984), which evaluated ridesharing programs in six northern California counties. The study indicated that standard employer coordination and minimal benefits resulted in ridesharing levels of up to 31 percent for Contra Costa County employers.

The projected mode splits with TDM are intended to provide a reasonable forecast of commuter modes and the resulting parking needs for typical Centre City uses. In all cases, the mode splits with TDM are comparable with existing patterns in San Diego and the Central Business Districts of other major metropolitan areas in California.

Therefore, the assumption of parking demand reductions due to TDM are reasonable. They do not represent a statement of goals for the project, but a reasonable estimate of TDM-related parking demand reductions expected for a project of this size, given standard TDM program measures that are commonly implemented by employers in the Centre City area, according to the regional ridesharing agency. The listed TDM measures approximate the types of employee TDM program measures implemented by Centre City employers. An actual program should be tailored to the employee population and is expected to be coordinated onsite.

4: Project Planning in the Context of the Central Bayfront and Centre City

Comments on the EIS which assert the project is not consistent with the City's planning direction for the waterfront do not appear to recognize the most recent community plan. Since the release of the Draft EIS in April 1990, the Centre City Planning Committee (CCPC), appointed by the City Council, has completed the Preliminary Centre City San Diego Community Plan and Interim Development and Design Ordinance, both dated July 1990. The plan incorporates the Central Bayfront Design Principles that were adopted by the Broadway Complex Coordinating Group (BCCG) in September 1989. The community plan updates the city's land use and development policy for the Centre City. The CCPC, Centre City Development Corporation, and Planning Commission recommended adoption of the plan and ordinance to the City Council. The City Council concurred and recently adopted the plan and ordinance (first reading).

The project site is located within the Commercial/Office District of the plan where professional office, retail, restaurant, hotel, motel, and multifamily or single-room residential uses are emphasized. Inclusion in this district is important to note, because it recognizes the appropriateness of the office, hotel, and retail uses proposed for the Navy Broadway Complex. The designation as a commercial/office district reflects the importance of the project site as a complementary part of the downtown core, rather than a location of unplanned competition for development opportunity with the downtown. (This is also confirmed by the market analysis prepared for the project. Please see Response TR-2.)

Guidance for the intensity of uses and principles for the urban design of development have been unified in the preliminary community plan. Intensity is governed by maximum floor area ratios (FAR) designated for each city block with the highest intensities in the downtown core and along the Broadway spine. For the Navy Broadway Complex the FAR designations are highest next to Broadway (7.0 on Block 1) and diminish to the south (6.5 on Block 2 and 5.5 on Blocks 3 and 4).

The urban design guidance in the waterfront area consists of the Central Bayfront Design Principles prepared by the BCCG. The principles include objectives for stepped down intensity and scale from the most intense along the Broadway corridor to lesser intensities north and south of Broadway, and toward the waterfront. A mixed-use bayfront is encouraged. Important public spaces are recommended for the bayfront, including one at the foot of Broadway. Recommended street improvements include the enhancement of Pacific Highway as the primary vehicular route in the Central Bayfront and extension of the street grid through the site for E, F, and G, Streets.

The Navy Broadway Complex Project's preferred Alternative A was developed in coordination with the formulation of the Central Bayfront Design Principles and the preliminary community plan. It is consistent with the FAR designations for building intensity and with the urban design guidance for the bayfront with its opening of streets, scaled down building heights to the west and south, and inclusion of the 1.9 acre open space at the foot of Broadway. The project is a mixed-use development as directed by the plan. The 1.9 acres on Block 1 would substantially contribute to the large open space desired at the foot of Broadway. The continuous explanade and extension of the street system could be accomplished, as needed on the project site. The community plan specifically indicates that it encourages the development of the Navy Broadway Complex with proposed commercial office and hotel uses (sage 34 of the plan). The Navy conducted a planning process for the project and participated extensively in the Centre City planning activities specifically to formulate a development concept that would reflect the City's objectives for the Central Bayfront area. The planning process was conducted with substantial opportunity for public input and numerous discussions with local residents, groups, and agencies.

TR-5: Tidelands Trust

Representatives of the Office of the State Attorney General and counsel for the State Lands Commission have claimed that language in the deeds from the City of San Diego to the United States conveying the several parcels constituting the Navy Broadway Complex restrict the use of that property to those uses that can be generally described as "military in nature." They have also claimed that the property is subject to the tidelands trust and cannot be used for purposes that are inconsistent with general tidelands trust theories. Attorneys for the Navy and the U.S. Department of Justice disagree with the State's contentions.

The Navy asserts that: (1) The restrictions of the tidelands trust were removed by action of the California Legislature in 1929; (2) the deeds from the City of San Diego to the United States contain no language of reversion and, therefore, do not limit the Navy's use of the property; and (3) since the proposed commercial development of the Navy Broadway Complex is to be undertaken solely for the purpose of providing the means whereby the Navy will obtain office space, the entire development is consistent with the deed restrictions the State claims exist.

Since the State Lands Commission letter of December 22, 1988, was written, there has been a considerable amount of correspondence between representatives of the State and the Navy, as well as a number of meetings, in an effort to arrive at a mutually satisfactory resolution of the conflicting views. Several proposals for settlement of the dispute have been made. All proposals

contemplate that the Navy Broadway Complex project would proceed as planned. The latest proposal of the State Lands Commission staff communicated to the Navy by the California Attorney General would require the Navy to relinquish a parcel of property it uses under long-term lease from the San Diego Unified Port District in return for, among other matters, the termination of the tidelands trust claimed by the State to exist on those parcels within the Navy Broadway Complex to be used for commercial office space. This proposal was unacceptable to the Navy because it presently makes intensive use of the leased land.

If the Navy and the State are unable to conclude a mutually acceptable settlement of this legal dispute, any adverse title claims of the State will be extinguished by appropriate court action which the Navy has initiated by request to the United States Department of Justice. However, the evaluation of alternatives on an environmental basis need not await final resolution of the legal issues.

- A. Robert S. Joe, United States Department of Army, Corps of Engineers, May 22, 1990
- A-1. Section 3 of the DEIS describes all of the alternatives being considered for development. As discussed and shown in a number of figures (see for example, Figure 3-4 on page 3-7), no elements of the project are proposed to encroach on San Diego Bay. No other waters of the United States are on or near the site. See, also, page 4-152 of the DEIS for a discussion of biological resource impacts of the proposed alternatives.
- A-2. Compliance with Section 106 of the National Historic Preservation Act has been vigorously pursued throughout the planning and environmental process for the Navy Broadway Complex Project. The Navy has determined that Buildings 1, 11, and 12 together are eligible for the National Register of Historic Places as a district under Criterion C. Other structures and archaeological resources have been determined to not be eligible for the National Register. The State Historic Preservation Officer (SHPO) concurred with these determinations in a letter dated October 3, 1989.

As described in the EIS, the proposed project would have an adverse effect on the eligible resources, so a mitigation approach was prepared and submitted to SHPO, with advisement to the Advisory Council on Historic Preservation, as the basis for a two-party Memorandum of Agreement (MOA). The MOA was signed by SHPO on August 14, 1990 and accepted by the Advisory Council on Historic Preservation on August 28, 1990. The MOA between the Navy and SHPO requires that historic information from the affected buildings be recorded according to the standards of the Historic American Buildings Survey as mitigation for their alteration or demolition.

- Kenneth W. Holt, M.S.E.H., United States Department of Health and Human Services, May 24, 1990
- B-1. The commentator agrees with the findings and conclusions of the DEIS. No response is necessary.

- C. Montague D. Griffin, May 25, 1990
- C-1. The commentator's opinion that each of the alternatives considered in the DEIS has substantial liabilities is noted. These "liabilities" have been evaluated in the DEIS as environmental impacts.
- C-2. Please see topical response TR-1.
- C-3. The financial feasibility of the project has been thoroughly considered. (See TR-2.) However, execution of the project will be based on competitive proposals from developers. If the proposals indicate that the project is not feasible, that the development will not meet the necessary timeframes, or that the undertaking is not as cost-effective as military construction, then the development will not be undertaken. The assertion that the project will cost the taxpayers more than with MILCON funding is inconsistent with the DEIS, and lacks sufficient specificity to warrant further response.
- C-4. The commentator's opinion is noted. Please see topical response TR-1.
- C-5. The commentator's opinion is noted. Please see topical response TR-1.
- C-6. The commentator's opinion is noted. Please see topical response TR-1.
- C-7. The commentator's preference for Alternative F over Alternative A is noted. No further response is warranted.
- C-8. The DEIS contains extensive analytical material related to the project's impact on aesthetics and viewshed. Please see pages 4-74 through 4-114 of the DEIS. The conclusionary comment that the project alternatives are detrimental to Bayfront aesthetics fails to suggest that either the methodology or analysis of the DEIS on this issue is inadequate.
- C-9. The shadows depicted in Figures 4-52 (page 4-112) and 4-53 (page 4-113) accurately describe the shadowing effect of the project, based on sun angles at the specific times noted. The commentator's disagreement with the conclusions on page 4-114 with respect to shading are noted.
- C-10. The water consumption estimates shown on page 4-122 of the DEIS are based on water consumption rates typical for the uses proposed, as provided by the City of San Diego Water Utilities Department. Nevertheless, in view of the generally constrained water supply throughout California, the following is added to page 4-121 under "Mitigation Measures":
 - "Although the project would not significantly affect the ability of the City of San Diego to supply water service, the following design features will be incorporated into the proposed project:
 - Low-flow shower and faucet fixtures will be provided in all buildings.

- Drought-tolerant landscaping will be used on all areas of the site except where grass-intensive uses (such as in open space areas) are located.
- C-11. The only "toxic" or "hazardous materials" that would be used on site are those that are associated with normal operations of hotels and office buildings. The Navy and project site lessees would be required to comply with all laws and regulations that establish the methods and procedures for the use, storage, and disposal of toxic or hazardous materials.
- C-12. An evaluation of site geology and geologic hazards was made in the previous geotechnical investigation by Woodward-Clyde Consultants (1988) (which is included in the Hirsch and Company report referenced in the draft EIS). Supplemental information regarding site geology, seismicity, evaluation of faulting, and liquefaction is presented in the report entitled "Additional Geologic, Seismic, and Geotechnical Studies. Navy Broadway Complex, San Diego, California," dated September 5, 1990 and prepared by Woodward-Clyde Consultants. This report is included in this appendix as Section 4. Additional test borings extending below proposed foundation depths will be required for design level geotechnical investigations, but the current borings are adequate for the current planning and environmental level investigations.
- C-13. While it is true that open space uses may attract and be beneficial to certain bird species, the intent of the DEIS is to identify substantial adverse impacts of the proposed action and provide mitigation measures and alternatives to avoid these impacts.
- C-14. In areas characterized by long rows of tall buildings and in areas of already high wind speed (e.g., Chicago), a wind tunnel effect can be created whereby wind is directed through narrow passageways and somewhat accelerated. The project area is not characterized by these conditions, especially with respect to wind speeds. As shown on page 4-155 of the DEIS, the mean wind speed in the project area is 6.6 miles per hour (mph), and wind speeds exceed 12 mph only 10 percent of the time. The site is adjacent to San Diego Bay, with no major structures between it and the bay to accelerate the relatively moderate winds that do traverse the site. The project would have the effect of moderately blocking bay breezes to areas immediately adjacent to the inland side of buildings, but normal wind flow would return rapidly, such that it is approximately the prevailing speed within a block of the site. The project would not have the effect of substantially reducing breezes to residential areas east of Kettner Street.
- C-15. This comment reiterates comment C-8. Please see response to comment C-8.
- C-16. The second sentence on page 4-142 is hereby revised to read as follows:
 - "Alternatives E and G do not generate tax revenues to the city, as they include only Navy facilities."
- C-17. The legend on page 4-208 of the DEIS is hereby revised to indicate that the description of each identified property is found on pages 4-207 and 4-209 of the DEIS.

D. Don L. Nay, Port of San Diego, May 31, 1990

D-1. Please see topical response TR-2 concerning the economics and financing of the proposed project, as well as possible financing alternatives for infrastructure improvements. The financing alternatives discussed therein are not inclusive of all potential financing options that may be considered in the implementation of the project. The EIS assumes that financing for necessary infrastructure improvements will occur. Note that the intent of the EIS is to evaluate the environmental impacts of the proposed project. The financing of the project is not a factor in the extent and type of impacts that the project would create. If various infrastructure improvements can not be financed, and the lack of such improvements result in environmental impacts, then the findings of the EIS would need to be changed, with such changes disclosed in environmental documents circulated to the public.

With respect to the museum, as noted on page 3-6 of the DEIS, up to 55,000 square feet of unimproved space would be made available to a community-sponsored organization for a museum. The draft development agreement with the City of San Diego provides that the organization's qualifications are to include reasonable initial capital and operating reserve requirements. Public subsidies, if any, would be minimized. The agreement further provides that if no such organization is willing or able to undertake such a venture, the space would be utilized by the Navy or publicly-oriented commercial uses. The cost of providing the museum has not been determined, but the cost would not alter the potential environmental impacts of the project.

D-2. The Navy notified the Federal Aviation Administration (FAA) that it proposed to construct buildings that would encroach into FAA-determined imaginary surfaces. It is the FAA's responsibility to review plans for each new development and to determine if there would be a hazard to air navigation. The FAA considers a number of factors when making this determination, including existing and proposed (that the FAA has considered) buildings that are in the area.

As discussed on page 4-221 of the DEIS, the FAA reviewed the plans for Alternative A. The FAA issued a Determination of No Hazard to Air Navigation and indicated the alternative would not adversely affect air navigation. Any future building in the overlay zone would undergo the same evaluation by the FAA, including an evaluation of cumulative impacts.

D-3. The seven study alternatives provide a range of scenarios that allow for the identification of impacts both with and without the closure of Broadway between Pacific Highway and Harbor Drive. The potential closure of Broadway is discussed in both the DEIS (Section 4.5) and the supporting Transportation Study. Through these documents, the DEIS provides a comprehensive discussion of the impacts both with and without the street closure.

The development of open space at the foot of Broadway, as identified in Alternatives A and F, could result in a closure of Broadway between Pacific Highway and Harbor Drive, if adjoining lands are made available for open space. Alternative A provides an internal route through the open space that would connect the intersection of Broadway/Pacific Highway to Harbor Drive via a new connection to Harbor Drive

north of Broadway (i.e., B Street or C Street) and E Street, and would require a partial vacation of Broadway. The open space shown in Alternative F is bounded by Pacific Highway, E Street, Harbor Drive, and the new connection to Harbor Drive north of Broadway (i.e., B Street or C Street). The resulting alignments and traffic diversions were shown in Figures 4-18 and 4-19 of the DEIS.

The draft EIS and Transportation Study indicates that either the B Street or C Street alignment could be used to provide a connection between Pacific Highway and Harbor Drive to the north of Broadway. Finally, it should be noted that the project would result in an increased level of access from the core area to Harbor Drive and the adjacent shoreline by providing through links at E, F, and G Streets.

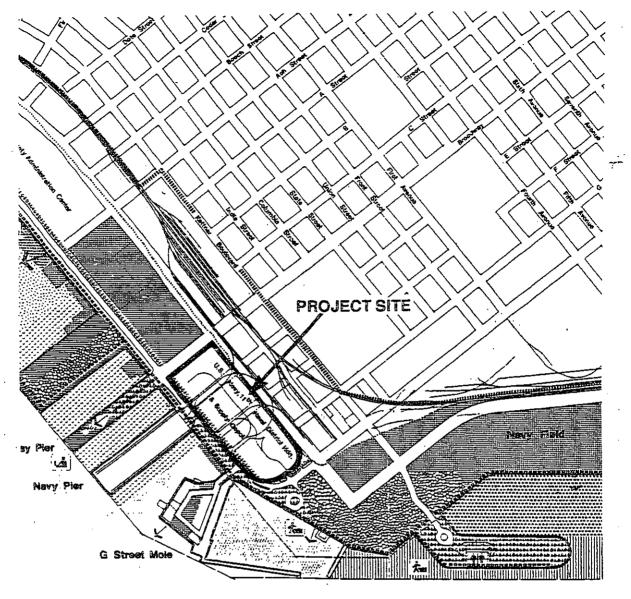
- D-4. Please see topical response TR-3.
- D-5. The figures shown in the DEIS are illustrative and show a concept that could be developed in conjunction with the proposed project. It is not the intent of the Navy to dictate the land uses outside of the boundaries of the Navy Broadway Complex. Clear project boundaries are shown in each of these figures.

It is further clarified that the proposed project covers the area located within the boundaries shown on several figures in the EIS (see particularly Figure 3-3 on page 3-4). Any proposed open space or other uses outside the boundaries of the Navy Broadway Complex are conceptual and are shown for illustrative purposes. The actual uses outside of these boundaries are subject to proposals and approvals of agencies other than the Navy. Also, please see topical response TR-2.

- D-6. The comment refers to a figure that is replicated from the CCDC's Urban Design Plan for the Centre City. This figure is discussed on pages 4-9 and 4-12. The figure does not imply Navy jurisdiction, and is referenced to the City of San Diego (see page 4-11). Figure 4-5a, which is replicated from the Port of San Diego's Master Plan, is included in response to this comment. This figure depicts planned port facilities in the vicinity of the project site. A "park/plaza" is shown along Harbor Drive along the frontage of the project site and extending to Grape Street, approximately 1/2 mile to the north. The Precise Plan within the Master Plan describes this as a landscaped promenade. The project (Alternative A) would allow for development of a 25-footwide sidewalk along the project frontage, which is sufficient area to accommodate the port's plans.
- D-7. The commentator's clarification of the California Coastal Commission's review responsibilities within the Port of San Diego jurisdiction is acknowledged. The commentator's description more accurately reflects the commission's role than the Draft EIS discussion on page 4-20, first paragraph.

- E. James T. Cheshire, State of California, Department of Transportation, June 1, 1990
- E-1. The programmed improvements along I-5, SR 163, and I-8 that are cited on page 4-47 of the DEIS are based on a list of projects identified in SANDAG's 1987 "Five-Year Regional Transportation Improvement Program". This plan cited a number of planned improvements on the state highway system that were included in Caltrans' 1987 PSTIP (proposed State Transportation Improvement Program). Based on conversations with Caltrans, these projects were subsequently rejected for consideration in the STIP. As such, the first paragraph on page 4-47 of the DEIS is hereby omitted.
- E-2. The DEIS (page 4-54) and the accompanying Transportation Study evaluate the long-term conditions at four interchanges serving the Centre City. The conclusion of the analysis is that "there is adequate capacity to serve anticipated demand under the long-term scenario". The assessment included a review of future operating conditions at the ramp junction of I-5 with Front/Second and Hawthorn that serve the Pacific Highway corridor in the northwest quadrant of the Centre City.

The discussion of ramp conditions is documented on page 4-54 of the DEIS and pages 25 through 31 in the Transportation Study. Peak hour volumes and service levels are shown for the four ramp junctions that were studied in Table 9 (page 30) of the Transportation Study. As the analysis presented in the DEIS concludes that there is no significant impact from the additional traffic generated by either the project or cumulative development at the I-5 ramps adjacent to Pacific Highway, no mitigation measures are required.



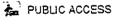
Lagend

Public Recreation

PARK/PLAZA

PROMENADE

PERSONAL OPEN SPACE



YISTA AREA

A HISTORIC FEATURE

OPEN BAY

JER PUBLIC FISHING PIER

8840001- July 1990



NORTH Figure 4-5a

Master Plan Navy Broadway Complex Project

نم Diego Port District

Michael J. Stepner, City Of San Diego, City Architect, May 31, 1990

- F-1. This comment is consistent with the discussions in Sections 4.1.4 and 4.1.5 of the DEIS.
- F-2. Above-grade parking is discussed in response to comment F-3. Air quality mitigation measures are discussed in response to comment F-4.
- F-3. The commentator's desire to reduce the amount of above-grade parking is noted. The Navy, in developing the project design, utilized the <u>Central Bayfront Design Principles</u> (referenced to BCCG in the comment). Page 5 of the design principles states that "(T)wo levels of parking must be accommodated below-grade prior to accommodating parking above-grade." Parking is provided below-grade on all four blocks of the project site. Only Block 2 includes above-grade parking, but only after the requisite 2 below-grade levels are provided. Thus, the project is consistent with the objectives of the referenced BCCG plans.

Please see topical response TR-4 with respect to the relationship between the BCCG plans and Central City Planning Committee (CCPC) plans. As discussed in that response, Central Bayfront Design Principles have been included in the Preliminary Centre City Community Plan Interim Development and Design Ordinance, which states:

- "1. All parking spaces shall be enclosed in a structure. All such parking structures shall be architecturally integrated and incapsulated into the development and shall conform to all other requirements of the Preliminary Centre City San Diego Community Plan and Interim Centre City San Diego Development and Design Ordinance.
- 2. Two levels of parking must be accommodated below grade prior to accommodating parking above grade with the following exceptions:
 - a. For parcels of 10,000 square feet or less, below grade parking is not required. All other parking requirements apply.
 - b. For development infilled on sites or blocks which contain designated historic sites, an exception to below grade parking requirements may be permitted by the City Architect. All other parking requirements apply.
 - c. For development on sites proven to be significantly impacted by the water table, the provision of below grade parking may constitute unnecessary hardship upon the property owner. However, where parking is permitted above grade, special attention shall be given to its architectural treatment and encapsulation. All other parking requirements apply."

The proposed parking is therefore consistent with the standards now proposed for the Centre City.

The Navy concurs that simply limiting the number of onsite parking spaces is not a sufficient means by which to mitigate air quality impacts. The Navy will be adopting an extensive transportation demand management (TDM) plan, which will include

utilizing alternative modes of transportation, as part of the project. Please see page 4-60 of the DEIS, as well as topical response TR-3 for more details on the TDM program.

F-5. Please see responses to comments F-3 and F-4.

Craig Adams, June 3, 1990

- G-1. The DEIS necessarily limits the alternatives discussions to those that focus on the colocation concept funded through a public/private venture. Section 2 of the EIS discusses the purpose and need for the collocation of Navy activities. The objective of the proposed action, to accomplish the acquisition of facilities through a public/private venture at the Navy Broadway Complex, was established by the authorizing legislation. The DEIS necessarily discusses alternatives having the minimum financially feasible commercial development required to achieve the project objective, as well as military construction and no action alternatives. Please also see the topical responses TR-1 and TR-2 for further discussions of the military construction alternative, the project economics, and the continuing military contingency requirements for retention of the entire site.
- G-2. Please see topical responses TR-1 and TR-2.
- G-3. The Navy's preferred Alternative A has been developed in coordination with the formulation of the Central Bayfront Design Principles, adopted by the Broadway Complex Coordinating Group in September 1989, and the Preliminary Centre City San Diego Community Plan. It is consistent with the types and intensities of uses included in those local planning documents. Please see Topical Response TR-4.

The Navy is required by the Federal Coastal Zone Management Act to conduct its activities "in a manner which is, to the maximum extent practicable, consistent with approved state management programs." The Navy has determined that Alternative A is consistent with California's approved coastal management program, i.e. the California Coastal Act. The evaluation supporting this coastal consistency determination examined applicable coastal resources management policies in detail. It has been submitted to the California Coastal Commission for its review and is available for examination at the Navy Broadway Complex Project office.

Regarding the influence of State land use planning policies on Federal property, such as the Navy Broadway Complex, it should be noted that strict adherence to State coastal land use policies, to the extent that they dictate specific uses of Federal property, is not required for two reasons. First, those policies are limited in their application to the land in the coastal zone (and the Navy Broadway Complex is not with the coastal zone). Second, even if the site was within the coastal zone, the basic land use planning decision underlying the redevelopment of the Navy Broadway Complex has already been made by Congress. The Property Clause of the Constitution provides that "Congress shall have Power to make all needful Rules and Regulations respecting...Property belonging to the United States." (U.S. Const., Art. IV, Section 3, Clause 2). When Congress enacts legislation respecting such property pursuant to the Property Clause, such as P.L. 99-661, the legislation necessarily overrides conflicting State laws under the Supremacy Clause. Consequently, the State coastal management policies directing land use decisions cannot override Federal land use decisions. Please also see Topical Response TR-6 regarding the State tidelands trust.

Notwithstanding this issue regarding Federal land use planning decisions, the Navy's coastal consistency evaluation indicated that the project is a master planned, multi-use development of high priority coastal uses that is consistent with coastal

management program policies. The high priority coastal uses of the project consist of commercial recreation (hotels, specialty retail, restaurants, and museum), public access and recreation features (opening of E, F, and G Streets; pedestrian facilities, gallerias, and open space), and coastal-related Navy uses (office support for the supply function of the Navy Pier and mobilization assets in the office and hotel/restaurant uses adjacent to a transshipment point at the pier). These high priority, coastal uses constitute over 90 percent of the ground-level use area of the project. The non-priority, commercial office use is a financially essential component of the overall master planned project.

The coastal uses along the Central Bayfront that are in State-approved local land use plans emphasize public and commercial recreation opportunity. The proportion of ground-level use area (74 percent) devoted in Alternative A to public and commercial recreation uses, both of which are given priority for a coastal location, exceeds the proportion of land area (54 percent) devoted to these purposes in the land use plan for the surrounding waterfront, the Centre City/Embarcadero Precise Plan of the Port Master Plan, a plan which has been certified by the California Coastal Commission as complying with the California Coastal Act. Consequently, the allocation of uses by the Navy Broadway Complex Project would appear to be consistent with the coastal planning decisions made by local and State agencies for the Central Bayfront. The Navy's Coastal Consistency Determination also addresses this issue in more detail.

- G-4. The issues raised in this comment are similar to the topics in Comment G-3. Please see Response G-3, and Topical Responses TR-4 and TR-5.
- G-5. The DEIS and supporting Transportation Study systematically address the potential impacts on the freeway ramp system to the downtown area. This includes an analysis of the following on-ramps and off-ramps that provide direct access to the western portions of the Centre City.

Off-ramps:

- Interstate 5 at Front/2nd (southbound)
- Interstate 5 at J Street (northbound)
- State Route 94 (westbound)
- State Route 163 (southbound):

On-ramps:

- Interstate 5 at Hawthorn (northbound)
- Interstate 5 at J Street (southbound)
- State Route 94 (eastbound)
- State Route 163 (northbound)

A discussion of the future conditions on these ramps is provided on page 4-54 of the DEIS and pages 25 through 31 in the Transportation Study. Peak hour volumes and service levels are shown for the four ramp junctions that were studied in Table 9 (page 30) of the Transportation Study.

The following analysis of the freeway system serving the Centre City is provided as a basis for identifying potential impacts. This includes a discussion of the following freeway segments based on forecasts from the City's CCTAP model for the various project alternatives. The projected pm peak hour volumes and volume/capacity ratios are provided in the following table, which is hereby added as Table 4.2-7b of the EIS. A review of the volume/capacity ratios at the five freeway locations indicate that there would be no significant impact generated by any of the six project alternatives, in comparison to the no-build scenario (Alternative G).

TABLE 4.2-7b of the EIS

FREEWAY MAINLINE VOLUME/CAPACITY (V/C) ANALYSIS

PM Peak Hour - Peak Direction

Location	Alt. A	<u>Alt. B</u>	Alt, C	<u>Alt. D</u>	Alt. E	Alt. F	<u>Alt. G</u>	
SR 94 east of I-5								
Volumes	9,330	9,060	9,340	9,160	9,340	9,330	9,040	
V/C	1.30	1.26	1.30	1.27	1.30	1.30	1.26	
SR 163 north of I-5								
Volumes	4,460	4,500	4,400	4,430	4,400	4,460	4,370	
a	1.24	1.25	1.22	1.23	1.22	1.24	1.21	
I-5 near Laurel		,			,			
Volumes	7,970	7,840	7,790	7,570	7,790	7,970	7,470	
V/Cª	.89	.87	.87	.84	.87	.89	.83	
I-5 near Imperial								
Volumes	6,300	6,350	6,290	6,160	6,290	6,300	6,060	
V/C³	.70	.71	.70	.68	.70	.70	.67	
I-5 northbound on-ramps								
Elm/First	34,000	32,600	32,200	31,300	32,300	34,000	34,900	
V/Cª	1.70	1.63	1.61	1.57	1.62	1.70	1.75	

Volume to capacity (V/C) where 1.00 is full capacity.

The freeway segments along SR 94 and SR 163 would exceed capacity in the peak direction during the peak hour under the cumulative build-out scenario, as discussed in the 1985 Centre City Transportation Action Program (CCTAP) report. The CCTAP report notes that these volumes "may be interpreted such that heavy traffic will prevail for well in excess of one hour, and that the peak period will likely "spread" on these facilities." This extension of the peak hour on freeway facilities is typical of urbanized downtown areas. The project's increase would not be significant (as evidenced by comparisons between Alternative G (no-build) and the other alternatives).

- G-6. Please see response to comment G-1. Note that it is implicit that the project was "weighed" along with other projects, and was determined to be of sufficient priority to warrant specific Congressional legislation authorizing pursuit of the project. With over 400,000 SF of existing office space onsite and a continuing military contingency requirement, Alternative G accurately reflects the use of the property if collocation is not achieved through a public/private venture. A new EIS would be required to evaluate the relocation of some or all of these activities and alternative land uses if the proposed project is not undertaken and a future military construction project is pursued in lieu thereof.
- G-7. Please see topical response TR-1.
- G-8. This comment inaccurately portrays the site as "surplus" to the Navy's needs. Retention of the Navy Broadway Complex reflects a national defense requirement to maintain a mobilization capability directly adjacent to the Navy Pier, which has a direct rail connection to the waterfront. During periods of national emergency, the mobilization and demobilization of heavy equipment and weapons platforms with accompanying personnel becomes a critical factor. Please see topical response TR-1.

The need of the project is well established, as discussed in response to comment G-1. The only current means by which it could be developed is through the proposed public/private venture contemplated in the EIS. Please see topical response TR-2 concerning project economics and financing. Alternative D provides the onsite development level necessary to support moving nearly the entirety of the Navy office uses off the Navy Broadway Complex. Alternative C provides a lower density alternative that can still meet financial requirements for development of the site. Substantial economic and financial analysis performed for this project (see topical response TR-2) has shown that the tradeoff in providing additional open space in a lower density development would render the proposed Navy offices financially infeasible.

- G-9. The issues raised in this comment are similar to the topics introduced in Comment G-3. Please see Response G-3 and Topical Response TR-4.
- G-10. The Navy's preferred Alternative A includes approximately 5 acres of ground-level uses devoted to public open space, including the 1.9-acre open space on Block 1, pedestrian facilities, and gallerias. This area is 32 percent of the total ground-level use area of the project site. By comparison, the surrounding waterfront is planned to provide 17 percent of land area devoted to these types of public recreation uses (40.4 acres of the total 231.8 acres in the Centre City/Embarcadero Precise Plan of the Port Master Plan). It is apparent from this information that the proposed project would not only provide sufficient public space for its own employees and visitors, but also would enhance the availability of such space for the broader Central Bayfront. Please see Response G-3 and Topical Response TR-4.
- G-11. The issues raised in this comment are similar to the topics introduced in Comment G-3. Please see Response G-3 and Topical Response TR-4.
- G-12. Please see Response G-21 and Topical Response TR-4.

- 7-13. The issues raised in this comment are similar to the topics introduced in Comment G-3. Please see Response G-3, and Topical Responses TR-4 and TR-5.
- G-14. Please see response to comment G-4.
- G-15. From a transportation planning standpoint, the fact that a site is located within a given area designated as the central core of the downtown does not guarantee that it is the most appropriate location for a high density project. Proximity to major transit lines such as the Bayfront LRT line, San Diego Transit Corporation (SDTC) bus lines, AMTRAK, and commuter rail lines are more meaningful criteria in determining whether a specific project is compatible with the overall development goals of the Centre City. The Navy Broadway Complex is located within one block of the Bayfront LRT line and the AMTRAK terminal at the Santa Fe station. In addition, a total of ten SDTC bus lines provide access to within two blocks of the project site. As such, the size of the project appears to be compatible with the concept of developing large scale projects near the major transit corridors within the downtown area.
- G-16. This comment is noted. Page 1-3 of the DEIS states only that the City and the Navy will enter into a development agreement for the future development of the project site. The actual development is not specified in the referenced memorandum, and the DEIS makes no presumption that a specific development plan has been already approved. Nowhere does the DEIS indicate prior approval by the City of San Diego of a specific development.
- Please see topical response TR-2 regarding the disclosure of the financial analysis utilized to define the type and level of development. In addition, note that a residential development alternatives was also undesirable in view of the contingency requirement for the property. Unlike commercial office and hotel uses, residential uses are not readily convertible to high priority military uses in the event of mobilization. Please see response to comment G-8.
- G-18. The ficor area ratios (FAR) described in the EIS are based upon land area held by the Navy in fee. This is a standard methodology for calculating FARs. If the FAR for the preferred alternative were calculated without the G Street right-of-way (approximately 0.9 acre) as the commentator suggests, the FAR of the preferred alternative would be approximately 5.8, rather than the 5.45 described in the document. It should be noted, however, that under either calculation, the amount of density indicated in the preferred alternative (3.25 million square feet) is less than the overall density of 3.4 million square feet that would be allowed for the property under the density provisions set forth in the BCCG Central Bayfront Design Principles plan and the Preliminary Centre City San Diego Community Plan.
- G-19. Please see topical response TR-1.
- G-20. Please see Responses G-3, M-5, M-8, and Topical Responses TR-4 and TR-5.
- G-21. The commentator's interpretation of the "step-down" concept recommended in the Centre City Community Plan differs from the interpretation in the EIS. The preliminary community plan and Central Bayfront Design Principles indicate that the concept of "stepped intensity and scale" will be implemented through floor area ratios

(FAR) and building heights will be controlled through Federal Aviation Administration (FAA) regulations. The FARs designated for the site in the draft plan are 7.0 for Block 1, 6.5 for Block 2, and 5.5 for Blocks 3 and 4 (as shown in Figure 14 of the plan). The lowest operational imaginary surface relevant to FAA regulations is 500 feet mean sea level (msl) for a circling area for missed approaches from Lindbergh Field. Non-operational imaginary surfaces cross at lower heights (see pages 4-217 and 219 in the Draft EIS).

With the exception of Alternative F with its 500-foot tower on Block 2, the project alternatives are consistent with the overall FAR designations of the preliminary community plan, which reflects the stepping down of building heights to the south from the block adjacent to the Broadway spine. Building heights are also designed to step down from the landward (east) to the bayward (west) side of the project site. Again with the exception of 500-foot tower in Alternative F (which would reach 510 feet msl, or 10 feet above the 500-foot surface), none of the buildings in the project alternatives encroach into the operational imaginary surfaces for aviation safety, which is consistent with the building height control guidelines of the plan. While encroachment into non-operational surfaces occurs with Alternatives A, B, C, and D, the FAA has issued a Determination of No Hazard for Alternative A, with a 400-foot tower on Block 1 indicating that compliance with FAA regulations can be achieved. Consequently, the project alternatives, except Alternative F, appear to be consistent with the step-down concept and building height controls envisioned in the preliminary Centre City San Diego Community Plan.

- G-22. The commentator's request to note the updated Centre City Community Plan is acknowledged. The now current version of the plan (as of August 1990), is the July 1990 preliminary Centre City San Diego Community Plan. The plan supports the Navy Broadway Complex Project as being compatible. The City Council recently adopted the plan and ordinance (first reading).
- G-23. Please see response to comment G-5.
- G-24. Please see topical response TR-3.
- G-25. The views included for analysis within the DEIS (Section 4.3) depict key public views and vistas that would be affected by the project. Views from the G Street Mole back to the downtown would not be negatively affected by the proposed project. Rather, views directly east to the downtown would be enhanced by removing existing onsite Building 9 and the opening up of G Street and the creation of a 120-foot-wide landscaped open space and street. Currently, downtown views from the Mole to the northeast are significantly obstructed by Buildings 1 and 12 within the Navy property. Development of the property per Alternative A would not significantly change these views because of the foreground dominance of Building 12 which is proposed for possible retention. The view to the northeast would be marginally improved by the removal of Building 1 for the creation of a major open space.

Views north and south along the waterfront Embarcadero would not be negatively affected by the proposed project. Again, Building 1 and 12 and the existing warehouse structures to the south currently create a strong eastern edge to the Embarcadero corridor. The view from the south from the vicinity of Seaport Village to the north

would continue to be framed on the east by Building 12 and new development of a similar height proposed to the south. The removal of Building 1 would introduce additional open space along the corridor and would alter this southern view marginally. Views from the north from the vicinity of the B Street Pier to the south along the Embarcadero would be opened up considerably by the removal of Building 1 and the introduction of open space, but the retention of Building 12 and the introduction of new development to the south would maintain the strong edge condition that currently exists along this view corridor.

It is noted that, as with many cities, the costs of providing police and fire protection G-26. comprise the two largest expenditures in the General Fund Budget for the City of San Diego. The police department's methodology for allocating and projecting current and future expenditures has historically relied upon both: (1) calls for service, and (2) estimated costs per capita. Recently, however, the department has been estimating its cost requirements based primarily upon per capita multipliers, utilizing population projections provided by the San Diego Association of Governments (SANDAG). Moreover, both the police and fire department staffs have indicated that the existing facilities, manpower, and equipment are anticipated to be adequate to provide the project site and surrounding area with a sufficient level of protection services, if any of the alternatives are developed. Nevertheless, an analysis of this nature must necessarily account for the incremental costs of providing service to the subject site under the respective development alternatives. For purposes of this study, both departments indicated that a per capita approach (based upon current daytime population figures) provides a conservative, yet reasonable, estimate of cost requirements appropriate for this level of analysis.

Other categories of ongoing City operating revenues and expenditures were allocated to those land uses which generate them, based on a calculation of average per acremultipliers. General government costs (public services and city support services) were averaged across all land uses, assuming each contributes its "share" to these costs.

While this provides a relatively simplistic approach to estimating the public service costs, the unique set of public service needs of the proposed project were considered and discussed with city staff and incorporated in the analysis where appropriate. Moreover, based on our review of the reliability, accuracy, data availability, and resources required to conduct various methods of fiscal impact assessment, it was determined that the methodology used in this study provides a sufficient level of statistical accuracy upon which to base current public policy decisions.

G-27. There was an error in the presentation of the "business taxes" on Tables 13 through 20 of the technical fiscal report. While the balance of the figures on these tables was stated in thousands of dollars, the projections of business tax revenues were in actual dollars, which subsequently resulted in an overstatement of the net annual and cumulative fiscal benefits to the City. A revised and corrected technical report has been placed on file at the Naval Facilities Engineering Command Detachment, Broadway Complex, 555 West Beech Street, Suite 101, San Diego, CA 92101-2937.

It should be noted that the basic findings of the analysis remain unchanged, in that Alternatives A, B, C, D, and F are still projected to generate net annual operating surpluses to the City by the year 1994 and would generate significant cumulative surpluses by the end of the 30-year projection period. In addition to the technical report, Table 4.5-8 on page 4-142 of the EIS is revised as shown on the following page.

Also, the first paragraph on the page 4-143 of the EIS is revised to read as follows:

By the year 30 of the proposed project (2021), Alternatives A, B, C, D, and F would generate cumulative surpluses to the City of San Diego of \$268.0 million, \$325.2 million, \$302.7 million, \$425.2 million, and \$325.3 million, respectively. Conversely, Alternatives E and G would yield cumulative deficits of \$72.4 million and \$25.6 million, respectively.

TABLE 4.5-8 of the EIS

PROJECTED NET AND CUMULATIVE FISCAL IMPACTS OF PROJECT
(in Thousands of Dollars)

Development Alternative	Net Annual Fiscal Impact in 2005 ^a	Cumulative Fiscal Impact in 2005 ^a	Net Annual Fiscal Impact in Year 20	Cumulative 30-Year Fiscal Impact
A	\$9,365	\$46,072	\$18,867	\$268,042
В	11,722	66,619	21,062	325,239
C	10,697	56,297	20,659	302,650
D	15,041	96,253	26,627	425,235
E	-2,138	-19,325	-4,667	-72,435
F	11,314	72,539	20,771	325,355
G	-697	-8,248	-1,521	-25,554

a At full development stabilized occupancy.

Source: Williams-Kuebelbeck & Associates, Inc., 1990.

- H. Dwight E. Sanders, State of California, State Lands Commission, June 4, 1990
- H-1. The commentator's preference that the EIS and EIR be one document instead of two is noted. The two documents were physically circulated together (in the same envelope) so that they could be reviewed together. The DEIR incorporates the DEIS by reference (see DEIR Preface). The DEIR presents a summary of the conclusions of the DEIS. This complies with the intent of Section 15150 of the State CEQA Guidelines. In addition, Section 15221 of the State CEQA Guidelines clearly allows an EIS to be used in place of an EIR, so long as it complies with the previsions of the CEQA guidelines. The EIS does this. Thus, even if the EIS was not incorporated by reference into an EIR, CEQA clearly allows the EIS to be used in place of an EIR. That both an EIS and an EIR incorporating the EIS are provided together simply means that the basic requirements of CEQA were met and exceeded.

Additional summarization or other characterization of the EIS, given that it constitutes the EIR, would be inappropriate and would be inconsistent with the general policy to reduce the size of EIRs.

- H-2. Please see response to comment H-1.
- H-3. Please see response to comment G-8 and topical response TR-5.
- H-4. Please see topical response TR-2 and EIS Table 4.5-8 (revised by response to comment G-27) which indicates cumulative fiscal surpluses to the City of San Diego ranging from \$258 to \$125 million for the various public/private venture alternatives. Note that, irrespective of who pays for infrastructure improvements, the cost of improvements and the party that pays for them is not an environmental issue. This is described in Section 15131 of the State CEQA Guidelines, which states in part that the "(E)conomic and social effects of a project shall not be treated as significant effects on the environment." The only environmental issue in this respect is whether mitigation measures are implemented. If infrastructural improvements cannot be financed, the findings of the EIS with respect to the level of significance for certain impacts would be changed and the EIS would be recirculated for public review. It is noted that the cost figures referenced in this comment differ from the current dollar cost figures discussed in topical response TR-2, possibly reflecting an escalation in this comment to future years/dollars with additional contingency.
- H-5. Please see response to comment H-4.
- H-6. The "draft" urban design guidelines for the project are drafts because they have not been adopted by the City of San Diego and would not be adopted prior to project approval. However, the guidelines were created to conform with the objectives of the Central Bayfront Design Principles (see topical response TR-4) and staff of the City has agreed to the draft guidelines.

The guidelines are not expected to be substantially changed during project approval, if the project is approved. However, as with any other component of this or any other project under NEPA and CEQA, if changes are made by decision makers that would create significant impacts not previously addressed in the EIS, then the EIS would need to be revised to address these impacts.

- I-7. The Federal environmental process requires consultation with the State Historic Preservation Officer during the development of cultural resources mitigation measures. Specifically, the consultation process determines the actions necessary to mitigate the adverse impact on the cultural resources that are eligible for the National Register of Historic Places. Consultation conducted to satisfy the specific requirements of Section 106 leads to mandatory mitigation of the significant cultural resources impacts described in the EIS. As described in response to comment A-2, this process has been completed and a Memorandum of Agreement between the Navy and SHPO stipulating mitigation has been signed.
- H-8. Establishing standards for construction of buildings in earthquake-prone regions is appropriate and necessary for hazard mitigation, yet building codes generally provide minimum standards and do not necessarily ensure building integrity from damaging earthquakes or other geologic hazards. However, buildings designed according to modern building codes generally have faired well during strong earthquakes (Housner and Jennings 1982). Furthermore, The City of San Diego Municipal Code requires evaluation of geologic hazards and liquefaction potential. Although the code is not applicable to the rehabilitation and expansion of Building 12, the Navy will require the developer to perform such an evaluation for all development at the Navy Broadway Complex. Measures to mitigate geologic/seismic hazards are discussed in Section 4 of this appendix. More specifically, all new or rehabilitated buildings constructed on the site will be designed in accordance with Uniform Building Code Seismic Zone 4 criteria, which are in excess of current City of San Diego building code requirements.
- H-9. Please see response to comments H-6, H-7, and H-8 regarding the effectiveness of specific mitigation measures identified as inadequate by the commentator. The commentator does not provide any other mitigation measures that may be ineffective, so no other response is warranted.
- H-10. Section 5 describes specific cumulative impacts to which the project contributes. Page 5-1 refers to Table 4.1-2 (page 4-7) and Figure 4-3 (page 4-8) for a description of the projects considered cumulatively with the proposed project including the Seaport Village expansion and the Hyatt Hotel. The commentator is referred to pages 5-1 through 5-4 of the DEIS for a complete discussion of cumulative impacts.
- H-11. The commentator misinterprets Section 15126(d) of the State CEQA Guidelines. In particular, Section 15126(d)(2) states, in full:

The specific alternative of "no project" shall also be evaluated along with the impact. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The guidelines do not indicate that the proposed alternative cannot be the environmentally superior alternative among the other alternatives. In fact, it is the intent of CEQA to provide for the least environmentally-damaging development, if development is to occur. CEQA encourages that projects are designed to minimize environmental harm. The DEIS examines seven alternatives, including the proposed project and the no project alternative. Of the seven alternatives, Alternatives A (the

proposed project), B, and D, are environmentally superior development alternatives. Alternative G, the no project, is the environmentally superior alternative, but it meets none of the basic project objectives. Alternative A includes a substantially larger open space area at the foot of Broadway than Alternatives B and D. This is an environmentally superior component of this alternative because it more closely (than Alternatives B and D) meets the goals of recently adopted plans intended to guide development in the area. There are three environmentally superior alternatives. Alternative A is superior among the three.

It is noted that there are no alternatives capable of meeting the basic objectives of the project while avoiding the significant impact to cumulative air quality associated with Alternative A (and the other five development alternatives). This is the only unmitigated significant impact of Alternative A, so an environmentally superior alternative (to Alternative A) capable of meeting project objectives is not possible.

- H-12. The commentator's opinion that the DEIS does not analyze all alternatives to the same level of detail is noted. The commentator does not substantiate this comment, so no response can be provided. The DEIS evaluates each of the seven alternatives, fully identifies the impacts of each, and provides mitigation measures pertinent to each.
- H-13. The intent of the notice of intent (NOI) and the notice of preparation (NOP) is for responsible agencies and interested individuals to identify at an early time in the process potentially significant environmental impacts, mitigation measures, and alternatives that should be addressed in the EIS and EIR. Direct responses to NOI/NOP comments Pages 1-15 through 1-18 of the DEIS summarize the NOI/NOP comments by topical area in which they are addressed in the EIS. Please refer to this discussion. A copy of all NOI/NOP comments has been provided to the commentator.
- H-14. Measures to mitigate significant environmental impacts are discussed along with the mitigation measure in the summary table. Each significant impact for which there are mitigation measures is identified as "(S/M)" in the table, (see pages 1-20 through 1-48 of the DEIS).

With regard to placing "significance criteria used to rank the impacts" in the summary section, the specific analysis is presented in the non-summary sections of the DEIS, particularly Section 4. The summary section is not intended to repeat the analysis of environmental impacts, but instead is intended to summarize the environmental impacts of the project. Thus, the "significance criteria" and other details pertinent to determining the project's environmental impacts are not repeated in the summary.

- H-15. Please see topical response TR-3.
- H-16. No residential uses are proposed with this project; therefore, residential parking demand rates are not relevant to this project.
- H-17. Please see response to comment H-6. Also, regarding the statement that the conclusions regarding design guideline compliance are not supported, the commentator is referred, particularly, to figures 4-23, 4-26, 4-29, 4-32, 4-35, 4-38, 4-41, 4-44, 4-47, and 4-50 in the DEIS. These ten figures depict simulated views of Alternative A from ten viewpoints. Alternative A is consistent with the draft design guidelines. The

conclusion that compliance with the guidelines would mitigate aesthetic impacts is based on the evidence shown in these figures and discussed on pages 4-108 through 4-111 of the DEIS. Aside from actually constructing the project and then evaluating its aesthetic impacts, the DEIS relies on the best possible evidence available to draw its conclusions.

- H-18. The City of San Diego Police Department was consulted to determine if the proposed alternatives would in any way adversely affect police service, including every day situations and emergency circumstances. The department indicated that the project would not have an adverse effect. Page 5-2 of the DEIS indicates that this public agency would not be adversely affected by cumulative development. The opinion of the affected agency would appear to be the best possible evidence one could draw on for this conclusion. It is noted that the proposed project would provide long-term fiscal surpluses to the City of San Diego. This conclusion considers police department costs. (Please see response to comments G-26 and G-27.) Thus, even if it was found that the project did significantly affect police resources (although no adverse effect was found), sufficient revenues would be available associated with the project to offset those costs.
- H-19. Page 6-1 of the DEIS refers to Section 4.5 of the DEIS for a discussion of growth associated with the project (including regional immigration). Please refer to that discussion.
- The availability of water is a concern of statewide significance, especially in light of the ^{**} 20. ongoing drought that has affected several areas of the state, some more substantially (e.g., Santa Barbara) than others. The water situation in San Diego, as a result of the drought, is not nearly as severe as other areas of the state, and sufficient regular and emergency supplies are available. Nevertheless, San Diego has requested voluntary water use reductions and has seen an approximate 10 percent reduction in use compared with last year. Water conservation measures are not yet mandatory, but may become so if the drought persists for another year. According to the City of San Diego Water Utilities Department, the proposed project, if completed today, is not of sufficient magnitude to cause an acceleration of the need to impose any water conservation measures in the city. Further, the City has no plans now, or in the foreseeable future, to restrict water hookups in the project area (Wageman, pers. comm. 1990). The proposed project is within the densities planned on the project site and is consistent with regional growth projections used to plan for long-term water usage. Also, please see comment C-10.

The first phase of the proposed development is currently planned to be completed in 1994. If drought conditions persisted up to that time, water availability in San Diego and throughout the state could be severely restricted. The likelihood that the drought would persist even another year or two, or that current water shortages would persist, is statistically remote. If drought conditions do persist, the results in large areas of California could be severe. Development in areas of California still affected by drought would likely be reexamined. However, consideration and analysis of such a remote possibility, with implications much more far-reaching than the proposed project, is highly speculative and is beyond the purview of an EIS examining the potential impacts of a mixed-use urban development.

- H-21. The commentator disagrees on the significance of the project with the opinions of the City of San Diego Water Utilities Department, the Regional Water Quality Control Board, and the Environmental Protection Agency, whose opinions are based on estimates of project wastewater generation. The commentator provides no evidence to substantiate this disagreement. Nevertheless, this difference of opinion is noted.
- H-22. Page 4-126 of the DEIS indicates that the project would significantly affect sewer conveyance facilities. Without mitigation, local sewer lines would have insufficient capacity. This could result in health implications as well as cause poor sewage conveyance. Correcting this problem by installing greater conveyance capacity would avoid this potentially significant impact. Thus, it is a mitigation measure. Please see response to comment H-21 regarding wastewater treatment impacts.
- H-23. Landfill capacity constraints are regional problems that have surfaced throughout the state, and they require regional solutions that are beyond the control of any individual project. San Diego County is currently in the process of pursuing new landfill areas to accommodate regional needs. The project would not significantly reduce the life of any landfill and would therefore not have a significant environmental impact. Nevertheless, in recognition of the statewide solid waste problems, the following mitigation measure is added to page 4-128 of the EIS:
 - Receptacles will be provided within each office building to allow for the separation of all recyclable paper material. The lease for each office building will require that white paper and computer paper recycling receptacles are provided, and that the lessee will participate to the maximum extent applicable in any local ordinance-implemented recycling program for other recyclable materials.
- H-24. Please see response to comment H-4. Also, it is noted that the Port, if it decides to contribute funding, would do so to the extent such expenditures are consistent with its legal and financial activities.
- H-25. The geotechnical investigation performed by Woodward-Clyde Consultants (1988) indicates the area soils are able to support properly designed foundations. The previous geotechnical investigation also indicates that below ground construction for underground parking is feasible. Construction of two-levels of underground parking will require: construction dewatering, pile foundations, and a structural floor system to support building loads. Because permanent dewatering systems with discharges to San Diego Bay are no longer allowed (please see the 1990 Woodward-Clyde report in Section 4 of this appendix, particularly 4.2 and 4.3), the floor and walls below the water table will have to be designed to resist water pressures and will have to be waterproofed. Authorization for construction dewatering will require application to the Regional Water Quality Control Board. The project dewatering will be required to comply with specific discharge limitations.
- H-26. The bay deposits and hydraulic fill underlying the site are considered potentially liquefiable, and the previous geotechnical investigation by Woodward-Clyde Consultants indicates that potential effects from liquefaction should be considered for project design. The City of San Diego Building Code requires that an evaluation be made for areas identified on the Seismic Safety Element of the General Plan as being susceptible to liquefaction. There is a range of possible measures to reduce potential

- liquefaction-related damage to existing and new facilities. Some of those measures are listed in Sections 3.3 and 3.3.1 of the 1990 Woodward-Clyde report, in Section 4 of this appendix.
- H-27. Page 4-176 of the DEIS provides City of San Diego noise/land use compatibility criteria. As shown, hotels are considered compatible in areas up to 65dB CNEL and offices are considered compatible in areas up to 70 dB CNEL. As discussed on pages 4-181 through 4-186, the 65 dB CNEL would extend onto the site, which would have an adverse effect on hotels. Thus, mitigation is necessary to provide for sufficient interior noise level reductions.

The 70 dB CNEL would only encroach on the edges of the site along Broadway, Harbor Drive, and Pacific Highway where offices are proposed. Normal sound attenuation provided by building materials (with windows open) is 12 to 15 dBA. Through the use of standard building materials, no additional attenuation would be necessary to reduce noise levels to office buildings to a less than significant level.

- H-28. As indicated on page 5-4 of the DEIS, a new substation would be required to serve cumulative development in the project area.
- H-29. The comments presented above (comments H-1 through H-28) do not change any of the findings of the EIS with respect to growth-inducing impacts or unavoidable impacts. Therefore, no revisions to the respective discussions of these issues is made.
 - io. This comment is noted. Please see response to comments H-1 through H-29.

I. Harry E. Wilson, June 1, 1990

- I-1. The commentator's preference for Alternative A is noted. The comment is not specific to the environmental impacts of the project, so no other response is warranted.
- I-2. While adding the rail lines to these subject figures may help orient the plan, the lines are shown in a sufficient number of figures (e.g., figures 3-5, 3-9, 3-10, 3-11, etc.) to be able to cross reference. No environmental information presented in the EIS would be changed by adding the rail lines to these figures.
- I-3. Please see topical response TR-3. Note that the number of parking spaces proposed onsite is restricted below normal demand rates to encourage the use of mass transit, car pools, etc.
- I-4. The response time provided is based on estimates provided by the individual fire stations.
- I-5. Please see response to comment H-23. It is not known how much recycling the Navy would be able to achieve through this program.
- I-6. The correct number of service occupation employees in San Diego County is 211,100. Table 4.5-1 on page 4-131 of the EIS is hereby revised to reflect this number.
- It is not known how many personnel would immigrate to the San Diego area as a result of the proposed project. Because the number of non-military employment opportunities created by the proposed project would be small in comparison to the region (less than 1.5 percent of the city and less than 1 percent of the county) and in comparison with regional growth estimates, the associated immigration would be easily absorbed and was therefore not calculated.
- I-8. A properly designed temporary dewatering system will allow excavation of soil below the water table for below grade construction. The dewatered soils (which are composed primarily of sands) should not be in a very wet condition and should not require special trucks. Soils could be exported from the site to other grading projects. Any soils considered contaminated with petroleum products or other potential contaminants would require special treatment.
- I-9. This comment is noted. The conclusions of the DEIS with respect to runoff would not be altered by this comment.
- I-10. Dewatered groundwater during construction will require authorization from the Regional Water Quality Control Board (please see Section 4 of this appendix, particularly 4.2 and 4.3 thereof), and if application conditions are met, it may be possible to discharge to storm drains.
- I-11. Pages 4-162 through 4-165 of the DEIS considers air quality effects during construction, and page 4-181 of the DEIS considers noise effects during construction. Please refer to these discussions.

Norman W. Hickey, County of San Diego Chief Administrative Office, June 1, 1990

- J-1. The proposed project would provide sufficient onsite parking to satisfy the needs of the project, and there would be no need for related offsite parking. Please see topical response TR-4 for a detailed discussion of parking.
- J-2. The Navy would only utilize one space for 1,000 square feet of Navy office for active employee parking. The additional 0.23 spaces per 1,000 square feet that would be provided are for the parking of Navy official vehicles.
- J-3. This comment is noted. No other response is necessary.

- K. Frederick M. Marks, Citizens Coordinate for Century 3, June 4, 1990
- K-1. This comment lacks sufficient specificity to allow formulation of a specific response. Please see topical responses TR-1 and TR-2.
- K-2. Please see topical responses TR-1 and TR-2.
- K-3. Please see topical responses TR-1 and TR-2.
- K-4. Please see topical response TR-2 regarding project financing. Please see response to comment G-17 for additional discussion concerning residential uses.
- K-5. Please see response to comments H-4 and H-24. Also, please see page 3-6 of the DEIS. As described therein, the provision of open space outside the boundaries of the project site is not a part of the proposed project.
- K-6. Please see topical response TR-1. Irrespective of the cost of the proposed project in comparison to the U.S. Military Construction budget, the proposed project is not currently included in Military Construction budgets, so it would not proceed without the proposed public/private venture financing alternative.
- K-7. The comment that the DEIS is not sufficiently objective is noted. Without greater specificity, however, no further response is possible.

- Robert P. Martinez, State of California, Office of Planning and Research, June 4,
- L-1. This comment is not specific to the contents of the DEIS, so no response is necessary.

- M. Gordon F. Snow, Ph.D., State of California Resources Agency, June 4, 1990
- M-1. It is noted that the Resources Agency coordinated review with the referenced agencies. The Department of Transportation commented in comment letter E. The State Lands Commission commented in comment letter H. The California Coastal Commission commented in comment letter M. The California Air Resources Board, Department of Fish and Game, the Department of Parks and Recreation, and the San Diego Regional Water Quality Control Board did not comment on the DEIS or DEIR.